



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 160

WASHINGTON, FRIDAY, MARCH 21, 2014

No. 45

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. MESSER).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 21, 2014.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and with thankful hearts we express our gratitude. As the hope of a delayed spring lifts the spirits of all working at the Capitol, we ask Your blessing upon those in our world facing difficult and uncertain futures, most especially in Crimea and Venezuela, as well as other chronically suffering communities.

In this moment of prayer, please grant to the Members of this people's House, as they meet with their respective constituents, the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

May all that is done this day be for Your greater honor and glory.  
Amen.

### THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution

515, the Journal of the last day's proceedings is approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### COMMUNICATION FROM CONSTITUENT CASEWORKER, THE HONORABLE MATT CARTWRIGHT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Christa Mecadon, Constituent Caseworker, the Honorable MATT CARTWRIGHT, Member of Congress:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 13, 2014.

JOHN A. BOEHNER,  
*Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the Commonwealth of Pennsylvania, County of Luzerne, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.  
Sincerely,

CHRISTA MECADON,  
*Constituent Caseworker.*

### COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, March 20, 2014.

Hon. JOHN BOEHNER,  
*Speaker of the House, House of Representatives,*  
The Capitol, Washington, DC.

DEAR MR. SPEAKER: On March 13, 2014, pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider resolutions to authorize 14 prospectuses, including three leases, ten alteration projects, and one project design, included in the General Services Administration's FY2013 and FY2014 Capital Investment and Leasing Programs.

Our Committee continues to work to cut waste and the cost of federal property and leases. The lease resolutions approved by the Committee will save the taxpayer \$39 million over the terms of the leases. All alteration and design projects approved are within amounts appropriated in the Consolidated Appropriations Act of 2014 and three of the projects will consolidate agencies out of leased space and into federally owned space, avoiding \$6 million annually in lease payments. In addition, the Committee has included space utilization requirements in each of the lease resolutions to ensure agencies are held to appropriate utilization rates.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on March 13, 2014.

Sincerely,

BILL SHUSTER,  
*Chairman.*

Enclosures.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H2489

## COMMITTEE RESOLUTION

ALTERATION—FEDERAL BUILDING, LITTLE ROCK,  
AR

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and

alterations to upgrade and renovate building components and systems and to abate hazardous materials at the Little Rock Federal Building located at 700 West Capital Avenue, Little Rock, Arkansas, at a design cost of \$972,000, an estimated construction cost of \$7,383,000, and a management and inspection

cost of \$894,000 for a total estimated project cost of \$9,249,000, a prospectus for which is attached to and included in this resolution.

*Provided*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS - ALTERATION  
FEDERAL BUILDING  
LITTLE ROCK, AR**

Prospectus Number: PAR-0063-LR14  
Congressional District: 02

**FY2014 Project Summary**

The General Services Administration (GSA) proposes a repair and alteration project to upgrade and renovate building components and systems and to abate hazardous materials at the Little Rock Federal Building (FB), at 700 West Capital Avenue, Little Rock, AR. The proposed renovations include alterations to the building envelope and fire protection systems. Exterior repairs will mitigate emergency abatement and repairs of asbestos contained materials (ACM).

**FY2014 Committee Approval and Appropriation Requested**

**(Design, ECC and M&I) .....\$9,249,000**

**Major Work Items**

Fire protection system replacement; exterior construction; demolition and abatement; interior construction; site work

**Project Budget**

Design .....\$972,000  
Estimated Construction Cost (ECC) .....7,383,000  
Management and Inspection (M&I) .....894,000  
**Estimated Total Project Cost (ETPC)\* .....\$9,249,000**

\*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

**Schedule**

|                         | <b>Start</b> | <b>End</b> |
|-------------------------|--------------|------------|
| Design and Construction | FY2014       | FY2016     |

**Building**

The 369,741 gross square feet (gsf) FB was built in 1961 and consists of seven stories and a basement and is constructed of limestone and narrow aluminum windows. It is part of a facility complex that includes the Richard Sheppard Arnold U.S. Post Office and Courthouse, a surface parking lot and the recently completed U.S. Courthouse Annex. An underground tunnel connects the Post Office Courthouse to the Little Rock Federal Building and a new ADA ramp was constructed in the primary building entrance located on the south side of the building in FY 2012. All three buildings share a common HVAC plant which was upgraded in 2007 as part of the multi-phase Courthouse Annex and Courthouse Renovation project.

GSAPBS

**PROSPECTUS - ALTERATION  
FEDERAL BUILDING  
LITTLE ROCK, AR**

Prospectus Number: PAR-0063-LR14  
Congressional District: 02

**Tenant Agencies**

US Army Corps of Engineers, Department of Health and Human Services, Department of Justice, Department of Labor, Department of the Interior, Social Security Administration, Internal Revenue Service, U.S. Department of Agriculture, Department of Transportation, Department of the Treasury, Department of Homeland Security, GSA

**Proposed Project**

The proposed project includes upgrades to the building envelope, fire protection systems, and paving of pedestrian walkways to bring these components into code compliance. Asbestos abatement will be performed to the interior-perimeter walls, to reduce the potential future exposure and to simplify future interior alteration projects.

**Major Work Items**

|                                    |                    |
|------------------------------------|--------------------|
| Fire Protection System Replacement | \$4,210,000        |
| Exterior Construction              | 1,855,000          |
| Demolition and Abatement           | 671,000            |
| Interior Construction              | 496,000            |
| Site Work                          | <u>151,000</u>     |
| <b>Total ECC</b>                   | <b>\$7,383,000</b> |

**Justification**

The existing Fire Alarm system is functionally obsolete and no longer meets Code requirements. The system needs to be replaced with a modern fire alarm system featuring voice notification, speakers and strobes providing protection for all tenants throughout the building.

The current sprinkler piping system was installed in 1996. In all concealed areas, (i.e. above 'finished' ceilings); the sprinkler pipe material is CPVC, a form of plastic. The risk of the CPVC sprinkler piping failures is believed to be increasing due to the increasing deformation/sag of the pipe which is visible and the resultant strain of adjacent pipe connections. The sags between pipe hangers make it impossible to drain the system completely. Challenges with the current sprinkler piping system as further complicated by the increase in the list of products considered chemically incompatible with CPVC over the last five years, adding to the potential for failure.

The building exterior is composed of limestone veneer, glass, spandrel glass, and aluminum panel. The only exterior restoration work on record, (since the original construction in 1959), was a window re-caulking project in the 1990s. The existing window caulking, control joint caulking, and expansion joints appear to be in poor condition. These conditions are likely allowing water migration into the building envelope, resulting in moisture problems at window

**GSA****PBS**

**PROSPECTUS - ALTERATION  
FEDERAL BUILDING  
LITTLE ROCK, AR**

Prospectus Number: PAR-0063-LR14  
Congressional District: 02

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frames, and possible corrosion damage to concealed structural framing members. The risk of repeated emergency abatement and repairs of asbestos contained material (ACM) on the interior finish coat of the exterior are heightened due to potential for water-infiltration during unusually heavy rain events. During such events, rainwater breaches the exterior envelope and eventually reaches the plaster coat with the ACM. When the ACM is wet, it blisters and becomes friable causing affected areas to be vacated and containment and abatement to be undertaken. In the last heavy rain event, approximately \$90,000 was expended under such an occurrence on the 1<sup>st</sup> floor.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**Prior Appropriations**

None

**Prior Committee Approvals**

None

**Prior Prospectus-Level Projects in Building (past 10 years)**

None

**Alternatives Considered (30 year, present value cost analysis)**

There are no feasible alternatives to this project. The cost of the proposed limited scope project is far less than the cost of leasing or constructing a new building.

GSAPBS

**PROSPECTUS - ALTERATION  
FEDERAL BUILDING  
LITTLE ROCK, AR**

Prospectus Number: PAR-0063-LR14  
Congressional District: 02

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**Recommendation**

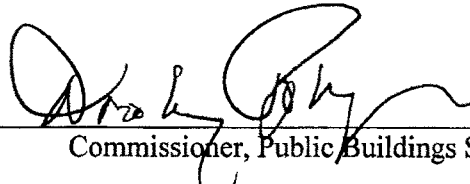
ALTERATION

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended:



Commissioner, Public Buildings Service

Approved:



Acting Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—BYRON WHITE U.S. COURTHOUSE,  
DENVER, CO

*Resolved by the Committee on Transportation  
and Infrastructure of the U.S. House of Rep-  
resentatives, that pursuant to 40 U.S.C. §3307,*

appropriations are authorized for repairs and  
alterations to undertake multiple system re-  
pairs at the Byron White U.S. Courthouse lo-  
cated at 1823 Stout Street in Denver, Colo-  
rado, at a design cost of \$1,000,000, an esti-  
mated construction cost of \$13,000,000, and a  
management and inspection cost of \$1,000,000

for a total estimated project cost of  
\$15,000,000, a prospectus for which is attached  
to and included in this resolution.

*Provided*, that the General Services Admin-  
istration shall not delegate to any other  
agency the authority granted by this resolu-  
tion.

GSAPBS

**PROSPECTUS - ALTERATION  
BYRON WHITE U.S. COURTHOUSE  
DENVER, CO**

Prospectus Number: PCO-0009-DE14  
Congressional District: 1

**FY2014 Project Summary**

The General Services Administration (GSA) proposes a repair and alteration project to undertake multiple system repairs at the Byron White U.S. Courthouse, at 1823 Stout Street, in Denver, CO. The proposed project will address security, life safety and exterior deficiencies and promote energy savings at the historic courthouse.

**FY2014 Committee Approval and Appropriation Requested**

(Design, ECC and M&I) .....\$15,000,000

**Major Work Items**

Exterior construction; HVAC, electrical, elevator, and fire protection upgrades; roof access repairs/replacement; interior construction

**Project Budget**

Design .....\$1,000,000  
Estimated Construction Cost (ECC) .....13,000,000  
Management and Inspection (M&I) .....1,000,000  
**Estimated Total Project Cost (ETPC)\* .....\$15,000,000**

\*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

**Schedule**

|                         | <b>Start</b> | <b>End</b> |
|-------------------------|--------------|------------|
| Design and Construction | FY2014       | FY2017     |

**Building**

The Byron White U.S. Courthouse was built between 1910 and 1916. The 270,103 gross square foot (gsf), building was originally owned by the US Postal Service and was added to the National Register of Historic places in 1973. The GSA purchased the facility in 1987 and it was renamed in honor of U.S. Supreme Court Justice Byron R. White, a native of Fort Collins, Colorado, in 1994. The stone building contains 4 floors, a penthouse, and a below-grade basement level, and is located in the Federal District of the central business district of downtown Denver.



GSA

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**PROSPECTUS - ALTERATION  
BYRON WHITE U.S. COURTHOUSE  
DENVER, CO**

Prospectus Number: PCO-0009-DE14  
Congressional District: 1

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**Tenant Agencies**

U.S. Court of Appeals, Circuit Executive, Circuit Library, U.S. Court of Appeals Clerk, U.S. Court of Appeals Central Legal Staff, U.S. District Court, U.S. Marshals Service.

**Proposed Project**

This project will address several key components including improved security, life safety, exterior deficiencies, as well as improvements that will promote energy savings. There will be a full restoration of historic windows to include the installation of ballistic glazing on the interior of the building. The original roof accesses and roof access stairs will be replaced and brought up to OSHA code requirements and where disturbed, abatement of asbestos containing roof tiles will be undertaken. The west elevated plaza stair will be restored and pavers will be removed to seal the concrete deck and to prevent leaks.

The project proposes to replace the light fixtures with improved energy efficient LED fixtures and to put the remaining parts of the building's lighting system under control of the building automation system, to replace the existing steam plant as well as the induction heating/cooling elements of the HVAC system and to replace the main electrical switch-gear and generator fuel tank. The elevators will be modernized with new mechanical components, safety features and lighting. The fire system will be upgraded with a new fire pump and fire suppression dry pipe manifold.

**Major Work Items**

|                                 |                     |
|---------------------------------|---------------------|
| Exterior Construction           | \$6,023,000         |
| Roof Access Repairs/Replacement | 859,000             |
| Interior Construction           | 396,000             |
| Elevator Upgrades               | 426,000             |
| HVAC Upgrades                   | 4,293,000           |
| Fire Protection Upgrades        | 45,000              |
| Electrical Upgrades             | 958,000             |
| <b>Total ECC</b>                | <b>\$13,000,000</b> |

GSA

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**PROSPECTUS - ALTERATION  
BYRON WHITE U.S. COURTHOUSE  
DENVER, CO**

Prospectus Number: PCO-0009-DE14  
Congressional District: 1

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**Justification**

While the Byron White U.S. Courthouse was fully modernized in 1992, many of the building systems are becoming worn, outdated and unreliable. The fire suppression system, inspected annually, has seen performance decrease with each inspection and while currently sufficient, will likely soon fail to meet acceptable levels and is in need of component improvements. Several component parts of the system have reached the end of their useful life and at this time no longer meet the current code requirements.

The mechanical equipment supporting the two historic elevators is outdated and presents potential safety hazards. A new control and drive system for the elevators will improve the safety and performance of the elevators while also providing substantial energy savings.

The steam plant, induction system, and fuel tank for the generator are also reaching the end of their useful life. The induction system will allow better control through balancing valves for energy savings as well as the steam plant replacement. Light fixtures that were installed in 1992 have begun to experience chronic failure issues, in some cases this increases the risk of fire. This project proposes to replace the failing light fixtures with energy efficient LED fixtures and connect the remaining parts of the building's lighting system to the building automation system will help improve the building's energy usage. Window replacement will also provide the opportunity to address the buildings envelope in terms of energy savings. The windows frames are down to the bare wood in many places and are in dire need of preservation in order to preserve the original materials.

The west elevated plaza leaks water into the parking garage and has flooded into the basement of the building in the past causing extensive damage to flooring and walls.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**GSA****PBS**

**PROSPECTUS - ALTERATION  
BYRON WHITE U.S. COURTHOUSE  
DENVER, CO**

Prospectus Number: PCO-0009-DE14  
Congressional District: 1

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**Prior Appropriations**

None

**Prior Committee Approvals**

None

**Prior Prospectus-Level Projects in Building (past 10 years)**

None

**Alternatives Considered (30-year, present value cost analysis)**

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

GSAPBS

**PROSPECTUS - ALTERATION  
BYRON WHITE U.S. COURTHOUSE  
DENVER, CO**

Prospectus Number: PCO-0009-DE14  
Congressional District: 1

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**Recommendation**

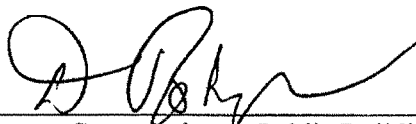
ALTERATION

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

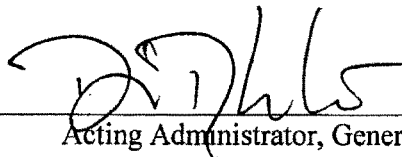
Submitted at Washington, DC, on April 4, 2013

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_



Acting Administrator, General Services Administration

March 21, 2014

CONGRESSIONAL RECORD—HOUSE

H2501

COMMITTEE RESOLUTION

ALTERATION—RICHARD C. LEE U.S.  
COURTHOUSE, NEW HAVEN, CT

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and

alterations to resolve severe wear and deterioration of the windows at the Richard C. Lee U.S. Courthouse located at Church and Court streets in New Haven, Connecticut, at a design cost of \$453,000, an estimated construction cost of \$3,975,000, and a management and inspection cost of \$371,000 for a

total estimated project cost of \$4,799,000, a prospectus for which is attached to and included in this resolution.

*Provided*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS - ALTERATION  
RICHARD C. LEE U.S. COURTHOUSE  
NEW HAVEN, CT**

Prospectus Number: PCT-0024-NH14  
Congressional District: 03

**FY2014 Project Summary**

The General Services Administration (GSA) proposes a repair and alteration project to resolve severe wear and deterioration of the windows at the Richard C. Lee U.S. Courthouse (Lee Courthouse). The Lee Courthouse, located at Church and Court streets in downtown New Haven, Connecticut is eligible for listing on the National Register of Historic Places.

**FY2014 Committee Approval and Appropriation Requested**

(Design, Construction and M&I) .....\$4,799,000

**Major Work Items**

Window repair/replacement; window blast film installation

**Project Budget**

Design .....\$453,000  
Estimated Construction Cost (ECC) .....3,975,000  
Management and Inspection (M&I)..... 371,000  
**Estimated Total Project Cost (ETPC)\* .....\$4,799,000**

\*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

**Schedule**

|                         | <b>Start</b> | <b>End</b> |
|-------------------------|--------------|------------|
| Design and Construction | FY2014       | FY2016     |

**Building**

The Lee Courthouse is a three-story 117,000 gross square foot classically-styled stone and concrete clad U.S. Courthouse building constructed in 1919 as a post office and federal building.

It contains 100,772 rentable and 69,037 useable square feet of rental space on three above-grade floors, a mezzanine level, and a basement floor. The Lee Courthouse is adjacent to the historic New Haven Green opposite Yale University in an area with several other government buildings, including the recently renovated Robert N. Giaimo Federal Building. The courthouse is eligible for listing on the National Register of Historic Places.

Slated for demolition as part of a 1960's urban renewal program, the Lee Courthouse was saved by a coalition of federal judges and local preservationists. After much negotiation, it was restored

GSAPBS

**PROSPECTUS - ALTERATION  
RICHARD C. LEE U.S. COURTHOUSE  
NEW HAVEN, CT**

Prospectus Number: PCT-0024-NH14  
Congressional District: 03

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and converted in the early 1980's for use solely as a courthouse. The building was renamed the Richard C. Lee U.S. Courthouse in 1998 after a former Mayor of New Haven.

**Tenant Agencies**

U.S. Courts, U.S. Marshals Service, GSA

**Proposed Project**

The proposed project consists of the repair/replacement of the windows, including the installation of tempered exterior glazing and ballistic-laminate interior glazing, and perimeter sealant; refinishing of exterior frames; replacement of the hardware; and remediation of potential hazardous materials.

**Major Work Items**

|                           |                    |
|---------------------------|--------------------|
| Window Repair/Replacement | <u>\$3,975,000</u> |
| <b>Total ECC</b>          | <b>\$3,975,000</b> |

**Justification**

The Courthouse windows are severely deteriorated. They are up to 90 years old and require a high degree of maintenance, as they are plagued by material failures, e.g., shrinking and rotted wood sashes, crumbling sealant, etc., which periodically causes glass panes to dislodge from the units, posing a potential safety threat to pedestrians near the property. New window technology will also greatly enhance building energy efficiency.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**Prior Appropriations**

None

**Prior Committee Approvals**

None

GSA

PBS

**PROSPECTUS - ALTERATION  
RICHARD C. LEE U.S. COURTHOUSE  
NEW HAVEN, CT**

Prospectus Number:  
Congressional District:

PCT-0024-NH14  
03

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**Prior Prospectus-Level Projects in Building (past 10 years)**

None

**Alternatives Considered (30-year, present value cost analysis)**

There are no feasible alternatives to this project. This is a single system renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

**Recommendation**

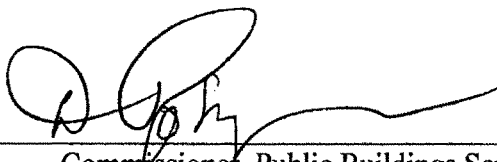
ALTERATION

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

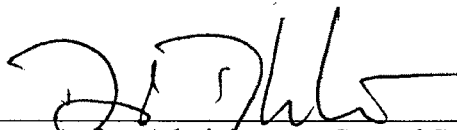
Submitted at Washington, DC, on April 4, 2013

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_



Acting Administrator, General Services Administration



COMMITTEE RESOLUTION

ALTERATION—CHICAGO FEDERAL CENTER,  
CHICAGO, IL

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for alterations to relocate and install a new boiler plant for

the Chicago Federal Center, comprised of the Everett M. Dirksen Courthouse, the John C. Kluczynski Federal Building, and the U.S. Post Office Loop Station located at 219 S. Dearborn Street, 230 S. Dearborn Street, and 211 S. Clark Street, respectively, in Chicago, Illinois, at a design cost of \$1,228,000, an estimated construction cost of \$12,483,000, and a

management and inspection cost of \$1,289,000 for a total estimated project cost of \$15,000,000, a prospectus for which is attached to and included in this resolution.

*Provided*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS - ALTERATION  
CHICAGO FEDERAL CENTER  
CHICAGO, IL**

Prospectus Number: PIL-0205-CH14  
Congressional District: 07

**FY2014 Project Summary**

The General Services Administration (GSA) proposes an alteration project to relocate and install a new boiler plant for the Chicago Federal Center (CFC). The CFC is comprised of three buildings totaling over 3.1 million gross square feet: the Everett M. Dirksen Courthouse (EMD), the John C. Kluczynski Federal Building (JCK), and the U.S. Post Office Loop Station (USPO), located at 219 S. Dearborn Street, 230 S. Dearborn Street, and 211 S. Clark Street, respectively, in Chicago, Illinois. The existing boiler plant is oversized with more capacity than is needed, inefficient and approaching the end of its useful life and the operation and maintenance of the plant requires additional utilities to power it. Execution of the proposed project will reduce energy consumption and operating costs and will extend the useful life of the CFC buildings.

**FY2014 Committee Approval and Appropriation Requested**

(Design, Construction and M&I) ..... \$15,000,000

**Major Work Items**

Boiler Plant Replacement and Relocation; Hot Water Distribution Improvements

**Project Budget**

|   |                     |
|---|---------------------|
| Design .....                                    | \$1,228,000         |
| Estimated Construction Cost (ECC) .....         | 12,483,000          |
| Management and Inspection (M&I) .....           | 1,289,000           |
| <b>Estimated Total Project Cost (ETPC).....</b> | <b>\$15,000,000</b> |

\*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

**Schedule**

|                         | <b>Start</b> | <b>End</b> |
|-------------------------|--------------|------------|
| Design and Construction | FY2014       | FY2016     |

**Buildings**

The CFC consists of three buildings: the Everett M. Dirksen Courthouse (EMD), the John C. Kluczynski Federal Building (JCK), and the U.S. Post Office Loop Station (USPO).

The EMD was built in 1964 and is constructed of structural steel frames, clad with metal and glass facade. The courthouse serves as the headquarters for the Northern District of

**GSA****PBS**

**PROSPECTUS - ALTERATION  
CHICAGO FEDERAL CENTER  
CHICAGO, IL**

Prospectus Number: PIL-0205-CH14  
Congressional District: 07

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Illinois and the U.S. Court of Appeals for the Seventh Circuit. The high-rise courthouse is 1,465,191 gross square feet with rental space of 1,208,546 and 119 inside parking spaces.

The JCK was built in 1973 and is constructed of structural steel framing encased in concrete with the exterior skin consisting of glass and structural steel plate spandrels. The JCK supports multiple federal agencies, including the Department of Labor, Drug Enforcement Administration, Internal Revenue Service and General Services Administration. The high-rise Federal Building is 1,428,620 gross square feet with rental space of 1,135,634 and 23 inside parking spaces.

The USPO was built in 1973 and is constructed of structural steel framing with exterior skin consists of glass, steel mullions, and spandrels. The building serves primarily as a postal facility for the U.S. Postal Service in the Chicago Loop area. The one story building is 288,125 gross square feet with rental space of 135,948 and 32 inside parking spaces.

The CFC contributes to the distinguished history of skyscraper construction in Chicago. The EMD was the first of Mies van der Rohe's urban, mixed land-use projects. As a result, the CFC has been listed on the National Register of Historic Places.

**Tenant Agencies**

EMD – Justice, Judiciary, multiple agencies

JCK - Labor, GSA and Justice, multiple agencies

USPO - Post Office, DHS, multiple agencies

**Proposed Project**

GSA proposes to replace and relocate the boiler plant serving the CFC. The existing high pressure steam boilers are located in lower level mechanical space adjacent to the footprint of the EMD. The steam generated by the existing boilers is then run to the JCK and LPO buildings where it is converted to hot water. The new hot water boiler plant, proposed to be located in the sub-basement level space within the footprint of the EMD, will eliminate the need to convert the steam to hot water. New hot water piping will be installed to connect the boiler plant to each of the individual buildings in the facility. Existing coils within the JCK and LPO buildings will be reused. Steam coils within the air handling units in the EMD will be replaced with hot water coils.

GSAPBS

**PROSPECTUS - ALTERATION  
CHICAGO FEDERAL CENTER  
CHICAGO, IL**

Prospectus Number: PIL-0205-CH14  
Congressional District: 07

**Major Work Items**

|                                     |                     |
|-------------------------------------|---------------------|
| Boiler Plant Replacement            | \$7,297,000         |
| Hot Water Distribution Improvements | <u>5,186,000</u>    |
| <b>Total ECC</b>                    | <b>\$12,483,000</b> |

**Justification**

The CFC currently receives heat through a boiler plant located in mechanical space adjacent to the EMD. The boiler plant is oversized, inefficient and is at the end of its useful life. Operating the plant is costly and requires more utilities than an efficient modern plant. Execution of the proposed work will reduce energy consumption and operating costs and will extend the useful life of the buildings within the CFC. Current standards no longer employee steam, using hot water is more efficient and cost effective. Installing the boiler plant in the new location will allow the existing boiler plant to remain operational during the construction, and therefore, minimize heating downtime for the CFC. The new boiler plant will be strategically relocated and have enough capacity to provide service to any future Federal building constructed on the government owned site adjacent to EMD. The new location will also allow for the optimal use of lower level spaces within and adjacent to the EMD.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**Prior Appropriations**

None

**Prior Committee Approvals**

None

**Prior Prospectus-Level Projects in Buildings (past 10 years)**

| Prospectus         | Description                         | FY   | Amount        |
|--------------------|-------------------------------------|------|---------------|
| PIL-0205/0236-CH04 | Curtainwall Repairs (EMD, JCK)      | 2004 | \$ 24,056,000 |
| PIL-0205-CH09      | Systems Upgrades and Backfill (EMD) | 2004 | \$160,977,000 |

GSAPBS

**PROSPECTUS - ALTERATION  
CHICAGO FEDERAL CENTER  
CHICAGO, IL**

Prospectus Number: PIL-0205-CH14  
Congressional District: 07

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|      |  |      |               |
|------|--|------|---------------|
| ARRA | Fire Alarm/Mechanical Upgrades<br>(JCK & USPO) | 2009 | \$ 99,673,000 |
| ARRA | Plaza Upgrade (CFC)                            | 2009 | \$ 28,131,000 |

**Alternatives Considered (30-year, present value cost analysis)**

There are no feasible alternatives to this project. This is a single system renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

GSAPBS

**PROSPECTUS - ALTERATION  
CHICAGO FEDERAL CENTER  
CHICAGO, IL**

Prospectus Number: PIL-0205-CH14  
Congressional District: 07

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**Recommendation**


ALTERATION

**Certification of Need**

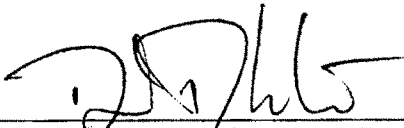
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

March 21, 2014

CONGRESSIONAL RECORD—HOUSE

H2511

COMMITTEE RESOLUTION

ALTERATION—ROBERT A. YOUNG FEDERAL  
BUILDING, ST. LOUIS, MO

*Resolved by the Committee on Transportation  
and Infrastructure of the U.S. House of Rep-  
resentatives, that pursuant to 40 U.S.C. §3307,*

appropriations are authorized for non-struc-  
tural and structural seismic renovations to  
the Robert A. Young Federal Building lo-  
cated at 1222 Spruce in St. Louis, Missouri,  
at a design cost of \$6,195,000, an estimated  
construction cost of \$58,718,000, and a man-  
agement and inspection cost of \$5,359,000 for

a total estimated project cost of \$70,272,000, a  
prospectus for which is attached to and in-  
cluded in this resolution.

*Provided*, that the General Services Admin-  
istration shall not delegate to any other  
agency the authority granted by this resolu-  
tion.

GSAPBS

**PROSPECTUS - ALTERATION  
ROBERT A. YOUNG FEDERAL BUILDING  
ST. LOUIS, MO**

Prospectus Number: PMO-0106-SL14

Congressional District: 01

**FY2014 Project Summary**

The General Services Administration (GSA) proposes non-structural and structural seismic renovations to the Robert A. Young Federal Building (RAY FB) in St. Louis, Missouri to improve the seismic performance of the RAY FB to provide shelter in place opportunities and provide a safer exit from the building following a seismic event. GSA has been analyzing the seismic performance of the building over the past decade and due to an upsurge in frequency and intensity of seismic activity in the area it is critical for GSA to fund the seismic renovations at this time.

**FY2014 Committee Approval and Appropriation Requested**

(Design, ECC and M&I) .....\$70,272,000

**Major Work Items**

Interior construction; hazardous materials abatement

**Project Budget**

Design .....\$6,195,000  
 Estimated Construction Cost (ECC) .....\$58,718,000  
 Management and Inspection (M&I).....\$5,359,000  
**Estimated Total Project Cost (ETPC)\*.....\$70,272,000**

\*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

**Schedule**

|                         | <b>Start</b> | <b>End</b> |
|-------------------------|--------------|------------|
| Design and Construction | FY2014       | FY2017     |

**Building**

The RAY FB is located at 1222 Spruce, in the Central Business District of St. Louis, Missouri. Originally constructed in 1933 as the Terminal Mart Building for the railroads, it was acquired by the Army in the 1940s and converted into office space in 1957. GSA became the property manager in the 1960s. The building is a 10-story concrete framed building with a basement and an 11-story tower at the northeast corner on top of the 10 stories. The RAY FB is located on a 3-acre site with 59 surface parking accommodations. The structure is typical of heavy masonry construction of its era - designed for gravity loads with limited ability to withstand forces occurring with seismic



GSAPBS

**PROSPECTUS - ALTERATION  
ROBERT A. YOUNG FEDERAL BUILDING  
ST. LOUIS, MO**

Prospectus Number: PMO-0106-SL14

Congressional District: 01

activity. The building's gross area is 1,131,930 square feet. The RAY FB is eligible for listing on the National Register of Historic Places, but currently is not on the register. The building was partially renovated in 1990 and received an investment through ARRA, focusing on energy saving projects such as new windows, upgraded mechanical systems, HVAC modifications, repaired façade, advanced metering and recommissioning.

**Tenant Agencies**

Treasury Department-Internal Revenue Service, U.S. Corps of Engineers, Agriculture Department; Army; Health and Human Services; Department of Housing and Urban Development; Justice Department; Department of Labor; State Department; Department of Transportation; Veterans Benefits Administration; Department of Homeland Security - Coast Guard/ICE/CIS/FPS; Environmental Protection Agency; Equal Employment Opportunity Council; GSA; Department of Defense; Small Business Administration; Railroad Retirement Board; and National Labor Relation Board

**Proposed Project**

GSA proposes an interior shear wall strategy encompassing both structural and non-structural components for improving the seismic performance of the RAY FB to provide both shelter in place opportunities during and safe exit from the building following a seismic event. The non-structural component of the project scope includes bracing of demountable partitions and systems along egress paths; bracing of items interstitial above the ceiling such as light fixture support, piping, ducts, gas lines, ceiling tile grids; and bracing selected masonry walls, parapets, and unsupported exterior walls. The structural component is a full structural seismic retrofit renovation utilizing interior shear wall strategy intended to fully address the seismic deficiencies at RAY FB. The project also includes asbestos remediation in the tower floors 11-20.

**Major Work Items**

|  |                     |
|--|---------------------|
| Seismic Upgrades/Building Structural Repairs | \$30,253,000        |
| Interior Construction                        | 28,040,000          |
| Asbestos Abatement                           | <u>\$425,000</u>    |
| <b>Total ECC</b>                             | <b>\$58,718,000</b> |

**Justification**

The RAY FB is located within 150 miles of two seismic zones, the Wabash Valley and the New Madrid, which is considered among the largest known earthquake centers in

GSAPBS

**PROSPECTUS - ALTERATION  
ROBERT A. YOUNG FEDERAL BUILDING  
ST. LOUIS, MO**

Prospectus Number: PMO-0106-SL14  
Congressional District: 01

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North America. Built in 1933, the building has limited ability to withstand forces occurring with seismic activity. The building is located in the CBD of St Louis, MO and structural failure would not only cause catastrophic loss of life for those in and around the building, but it would impede the ability of first responders located in the CBD to carry out their mission in the event of a disaster.

GSA has been analyzing the seismic performance of the building over the past decade and due to an upsurge in frequency and intensity of seismic activity in the area it is critical for GSA to fund the seismic renovations at this time to provide shelter in place opportunities and provide a safer exit from the building following a seismic event.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**Prior Appropriations**

None

**Prior Committee Approvals**

None

**Prior Prospectus-Level Projects in Building (past 10 years)**

None

**Alternatives Considered (30 year, present value cost analysis)**

The Ray FB is a long term federal asset and the proposed limited scope alteration is needed to ensure the safety of its occupants. There are no feasible alternatives to the proposed seismic retrofit.

GSA

PBS

**PROSPECTUS - ALTERATION  
ROBERT A. YOUNG FEDERAL BUILDING  
ST. LOUIS, MO**

Prospectus Number: PMO-0106-SL14

Congressional District: 01

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**Recommendation**

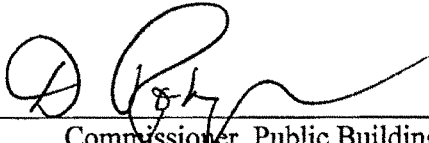
ALTERATION

**Certification of Need**


The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

## COMMITTEE RESOLUTION

ALTERATION—CHARLES F. PREVEDEL FEDERAL  
BUILDING, OVERLAND, MO

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for the reconfiguration and alteration of approximately 208,000 rentable

square feet of currently vacant space to meet the long term housing needs of the Veterans Benefits Administration at the Charles F. Prevedel Federal Building located at 9700 Page Boulevard in Overland, Missouri, at a design cost of \$2,292,000, an estimated construction cost of \$23,035,000, and a management and inspection cost of \$1,834,000 for a total estimated project cost of \$27,161,000, a

prospectus for which is attached to and included in this resolution.

*Provided*, the Veterans Benefits Administration is consolidated into the Charles F. Prevedel Federal Building and associated leased space is released.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – ALTERATION  
CHARLES F. PREVEDEL FEDERAL BUILDING  
OVERLAND, MO**

Prospectus Number: PMO-0570-OV14  
Congressional District: 01

**FY2014 Project Summary**

The General Services Administration (GSA) proposes a repair and alteration project for the reconfiguration and alteration of approximately 208,000 rentable square feet (rsf) of currently vacant space at the Charles F. Prevedel Federal Building (Prevedel FB) in Overland, Missouri to meet the long term housing needs of the Veterans Benefits Administration (VBA). The consolidation of VBA into Prevedel FB will allow the Government to release costly lease space reducing annual lease payments to the private sector by approximately \$3,300,000 annually.

**FY2014 Committee Approval and Appropriation Request**

**(Design, ECC, M&I) .....\$27,161,000**

**Major Work Items**

Interior construction; HVAC replacement; Energy Management Control System installation.

**Project Budget**

|   |                     |
|---|---------------------|
| Design                                      | \$2,292,000         |
| Estimated Construction Cost (ECC)           | 23,035,000          |
| Management and Inspection (M&I)             | <u>1,834,000</u>    |
| <b>Estimated Total Project Cost (ETPC)*</b> | <b>\$27,161,000</b> |

\*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by the GSA.

**Schedule**

| <b><u>Schedule</u></b>  | <b><u>Start</u></b> | <b><u>End</u></b> |
|-------------------------|---------------------|-------------------|
| Design and Construction | FY2014              | FY2017            |

**Building**

The Prevedel FB is located at 9700 Page Boulevard, in Overland, Missouri. Initial building construction was completed in 1990 to house the United States Army Human Resources Command Center. The FB is a five-story above-grade and two-story below-grade protected steel framed office building with cast in place concrete floors. It has a central atrium on floors one through five and is located on a 10.7-acre site with surface parking accommodations of 2,089. The building's gross area is 436,148 square feet.

GSAPBS

**PROSPECTUS – ALTERATION  
CHARLES F. PREVEDEL FEDERAL BUILDING  
OVERLAND, MO**

Prospectus Number: PMO-0570-OV14  
Congressional District: 01

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**Tenant Agencies**

VBA, U.S. Department of Agriculture-National Agricultural Statistics Service (USDA NASS), and GSA

**Proposed Project**

GSA proposes renovations to the Prevedel FB to allow for the recapture of over 208,000 rentable square feet of vacant space at the building. The project would provide interior space alterations and building systems upgrades to allow VBA to consolidate operations at the Prevedel FB, releasing both leased space and space in the Robert A Young federal Building in St Louis, MO.

The project scope includes replacement of an obsolete HVAC system that has reached the end of its useful life and the installation of an energy management control system (EMCS). The EMCS will automate and monitor the FB's mechanical and lighting systems reducing energy consumption. The HVAC upgrades will include the relocation and replacement of outdoor air intakes on the roof to meet current security requirements. Minimal seismic upgrades will also be implemented.

**Major Work Items**

|                                |                     |
|--------------------------------|---------------------|
| Interior Construction          | \$13,530,000        |
| HVAC Replacement               | 7,122,000           |
| Electrical (EMCS/Adv Metering) | <u>2,383,000</u>    |
| <b>Total ECC</b>               | <b>\$23,035,000</b> |

GSAPBS

**PROSPECTUS – ALTERATION  
CHARLES F. PREVEDEL FEDERAL BUILDING  
OVERLAND, MO**

Prospectus Number: PMO-0570-OV14  
Congressional District: 01

**Justification**

The Prevedel FB remains nearly two thirds vacant after the recent relocations of the U.S. Army Personnel Center (Army) and the National Archives and Records Administration (NARA). Structurally, the asset is in very good condition however, interior alterations and systems upgrades are necessary in order to backfill the vacant space. Currently, VBA is largely housed in leased space that is projected to cost over \$3.3 million per year. This proposal affords an opportunity to satisfy a long term housing requirement of the VBA in Federally owned space and to improve the utilization of an asset that is in good condition. Execution of this project will result in vacant space at the Robert A Young Federal Building, with numerous tenant agencies currently in leased space in the St. Louis, MO area that will be available to backfill this space.

The proposed EMS system will provide new utilities metering functionality ultimately reducing energy usage and the building systems upgrades will meet High Performance Green Building standards.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**Prior Appropriations**

None

**Prior Committee Approvals**

| Charles F. Prevedel Federal Building<br>Prior Committee Approvals |           |              |                              |
|---|-----------|--------------|------------------------------|
| Committee   | Date      | Amount       | Purpose                      |
| Senate EPW  | 12/8/2011 | \$24,386,000 | Design, M&I,<br>Construction |

**Prior Prospectus-Level Projects in Building (past 10 years):**

None

GSA

PBS

**PROSPECTUS – ALTERATION  
CHARLES F. PREVEDEL FEDERAL BUILDING  
OVERLAND, MO**

Prospectus Number: PMO-0570-OV14  
Congressional District: 01

**Alternatives Considered (30-year, present value cost analysis)**

Alteration: .....\$ 112,258,000  
Lease .....\$113,937,000  
New Construction: .....\$134,570,000

The 30-year, present value cost of alteration is \$1,678,739 less than the cost of leasing with an equivalent annual cost advantage of \$94,738.



GSA

PBS

**PROSPECTUS – ALTERATION  
CHARLES F. PREVEDEL FEDERAL BUILDING  
OVERLAND, MO**

Prospectus Number: PMO-0570-OV14  
Congressional District: 01

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**Recommendation**

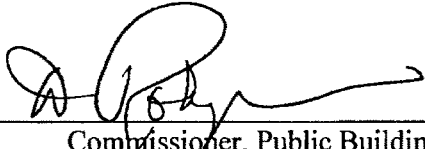
ALTERATION

**Certification of Need**


The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

April 2013

**Housing Plan  
Charles F. Prevedel Federal Building**

PMO-0570-OV14  
Overland, MO

| Locations                                       | CURRENT      |              |                                       |              |               |                | PROPOSED     |              |                          |              |               |                |
|---|--------------|--------------|---------------------------------------|--------------|---------------|----------------|--------------|--------------|--------------------------|--------------|---------------|----------------|
|   | Personnel    |              | Usable Square Feet (USF) <sup>1</sup> |              |               |                | Personnel    |              | Usable Square Feet (USF) |              |               |                |
|   | Office       | Total        | Office                                | Storage      | Special       | Total          | Office       | Total        | Office                   | Storage      | Special       | Total          |
| <b>VA Building; St. Louis, MO - Lease</b>       |              |              |                                       |              |               |                |              |              |                          |              |               |                |
| Veterans Benefits Administration                | 638          | 638          | 100,749                               | 6,754        | 6,997         | 114,500        | -            | -            | -                        | -            | -             | -              |
| <b>Subtotal:</b>                                | <b>638</b>   | <b>638</b>   | <b>100,749</b>                        | <b>6,754</b> | <b>6,997</b>  | <b>114,500</b> | <b>-</b>     | <b>-</b>     | <b>-</b>                 | <b>-</b>     | <b>-</b>      | <b>-</b>       |
| <b>Robert A Young FB; St. Louis, MO</b>         |              |              |                                       |              |               |                |              |              |                          |              |               |                |
| Veterans Benefits Administration                | 181          | 181          | 19,332                                | -            | 341           | 19,673         | -            | -            | -                        | -            | -             | -              |
| <b>Subtotal</b>                                 | <b>181</b>   | <b>181</b>   | <b>19,332</b>                         | <b>-</b>     | <b>341</b>    | <b>19,673</b>  | <b>-</b>     | <b>-</b>     | <b>-</b>                 | <b>-</b>     | <b>-</b>      | <b>-</b>       |
| <b>Charles F Prevedel FB</b>                    |              |              |                                       |              |               |                |              |              |                          |              |               |                |
| Veterans Benefits Administration                |              |              |                                       |              |               |                | 950          | 950          | 133,033                  | -            | 21,967        | 155,000        |
| USDA - National Agricultural Statistics Service | 255          | 255          | 81,118                                | -            | 17,017        | 98,135         | 298          | 298          | 81,118                   | -            | 25,017        | 106,135        |
| GSA   |              |              |                                       | -            | -             | -              | -            | 11           | 750                      | 7,000        | -             | 7,750          |
| Vacant  | -            | -            | 140,460                               | -            | 37,838        | 178,298        | -            | -            | 4,791                    | -            | -             | 4,791          |
| Joint Use                                       |              |              | 372                                   | -            | 348           | 720            | -            | -            | 372                      | -            | 6,097         | 6,469          |
| <b>Subtotal</b>                                 | <b>255</b>   | <b>255</b>   | <b>221,950</b>                        | <b>0</b>     | <b>55,203</b> | <b>277,153</b> | <b>1,248</b> | <b>1,259</b> | <b>220,064</b>           | <b>7,000</b> | <b>53,081</b> | <b>280,145</b> |
| <b>Total</b>                                    | <b>1,074</b> | <b>1,074</b> | <b>342,031</b>                        | <b>6,754</b> | <b>62,541</b> | <b>411,326</b> | <b>1,248</b> | <b>1,259</b> | <b>220,064</b>           | <b>7,000</b> | <b>53,081</b> | <b>280,145</b> |

| Office Utilization Rate (UR) |         |          |
|------------------------------|---------|----------|
|                              | Current | Proposed |
| Rate                         | 146     | 137      |

UR=average amount of office space per person  
 Current UR excludes 44,346 usf of office support space  
 Proposed UR excludes 48,414 usf of office support space

| Special Space       | USF           |
|---------------------|---------------|
| ADP                 | 1,153         |
| Secured Storage     | 2,835         |
| Conference/Training | 23,829        |
| Food Service        | 9,568         |
| Childcare           | 186           |
| Restroom            | 132           |
| Mailroom            | 15,378        |
| <b>Total</b>        | <b>53,081</b> |

## NOTES:

<sup>1</sup>USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

COMMITTEE RESOLUTION

ALTERATION—JACOB K. JAVITS FEDERAL OFFICE  
BUILDING, NEW YORK, NY

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and

alterations for the reconfiguration and alteration of approximately 55,000 rentable square feet of space for the Federal Bureau of Investigation at the Jacob K. Javits Federal Office Building located at 26 Federal Plaza in New York, New York, at a design cost of \$593,000, an estimated construction cost of \$5,417,000, and a management and inspection

cost of \$510,000 for a total estimated project cost of \$6,520,000, a prospectus for which is attached to and included in this resolution.

*Provided*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS - ALTERATION  
JACOB K. JAVITS FEDERAL OFFICE BUILDING  
NEW YORK, NY**

Prospectus Number: PNY-0282-2-NY14  
Congressional District: 08

**FY2014 Project Summary**

The General Services Administration (GSA) proposes a repair and alterations project for the reconfiguration and alteration of approximately 55,000 rentable square feet (rsf) of space for the Federal Bureau of Investigation at the Jacob K. Javits Federal Office Building (Javits FOB) at 26 Federal Plaza in downtown New York, New York.

**FY2014 Committee Approval and Appropriation Requested**

(Design, ECC, and M&I) .....\$6,520,000

**Major Work Items**

Interior construction; selective demolition; fire suppression system alterations; electrical and plumbing system upgrades.

**Project Budget**

Design.....\$593,000  
Estimated Construction Cost (ECC).....5,417,000  
Management and Inspection (M&I) .....510,000  
**Estimated Total Project Cost (ETPC)\*.....\$6,520,000**

\*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

**Schedule**

|                         | <b>Start</b> | <b>End</b> |
|-------------------------|--------------|------------|
| Design and Construction | FY2014       | FY2014     |

**Building**

The Javits FOB is located at 26 Federal Plaza, New York, NY and is named after Jacob Koppel Javits, who served as U.S. Senator for New York from 1957-1981. The Javits FOB consists of 3 interconnected buildings: a 41-story plus basement, Class "A" office building constructed in 1966, a 45-story Annex built in 1977 along the west side of the original building and a 8-story court/office building known as the James L. Watson U.S. Court of International Trade (USCIT) built in 1968. Together the buildings provide 1,713,700 usable, 2,293,000 rentable, 2,858,700 gross square feet of space. It is the third

GSAPBS

**PROSPECTUS - ALTERATION  
JACOB K. JAVITS FEDERAL OFFICE BUILDING  
NEW YORK, NY**

Prospectus Number: PNY-0282-2-NY14  
Congressional District: 08

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largest federal facility in the nation. The FBI Headquarters currently occupies Floors 22-28 at 26 Federal Plaza, in a total of 466,704 rentable square feet.

The Javits FOB/Annex and USCIT are adjacent to the Ted Weiss Federal Building, the Daniel P. Moynihan U.S. Courthouse, the Thurgood Marshal U.S. Courthouse, the New York County and State Court, and the downtown Manhattan Civic Center.

**Tenant Agencies (project specific)**

Federal Bureau of Investigation (FBI)

**Proposed Project**

The proposed project consists of the renovation of areas around the core of the FBI occupied floors 22 through 28, including upgrades to the restrooms, flooring, walls, ceilings, and lighting fixtures.

**Major Work Items**

|                                  |                    |
|----------------------------------|--------------------|
| Fire Suppression System Upgrades | \$27,000           |
| Interior Construction            | 2,209,000          |
| Electrical System Upgrades       | 1,141,000          |
| Plumbing System Upgrades         | 948,000            |
| Selective Building Demolition    | <u>1,092,00</u>    |
| <b>Total ECC</b>                 | <b>\$5,417,000</b> |

**Justification**

The space occupied by the FBI has not been improved since it was originally built-out for the agency in the early 1990's. The finishes are dated and the plumbing and lighting fixtures use excessive water and energy due to their obsolete designs. This project will meet water reduction, energy efficiency and performance requirements in effect during design. Improved water usage will result from the restroom upgrades and reductions in energy usage will be yielded from the installation of high efficiency lighting. This project will be done in concert with Smart Building Technology installation in 26 Federal Plaza Complex.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles

GSAPBS

**PROSPECTUS - ALTERATION  
JACOB K. JAVITS FEDERAL OFFICE BUILDING  
NEW YORK, NY**

Prospectus Number: PNY-0282-2-NY14  
Congressional District: 08

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for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**Prior Appropriations**

None

**Prior Committee Approvals**

None

**Prior Prospectus-Level Projects in Building (past 10 years):**

| <b>Prospectus</b> | <b>Description</b>                | <b>FY</b> | <b>Amount</b> |
|-------------------|-----------------------------------|-----------|---------------|
| PNY-0282-NY03     | Lobby/public restroom renovations | 2003      | \$ 7,568,000  |
| PNY-FBC-NY04      | Security pavilion construction    | 2004      | \$12,094,000  |

Through Public Law 111-5 (American Recovery and Reinvestment Act, FY2009) Congress appropriated \$5,550,000,000 of which \$25,520,000 was allocated to the Javits FOB.

**Alternatives Considered (30-year, present value cost analysis)**

There are no feasible alternatives to this project. This is a targeted, agency specific investment in selective floors of the Javits FOB and the cost of the proposed project is far less than the cost of leasing or constructing a new building for the FBI.

GSA

PBS

**PROSPECTUS - ALTERATION  
JACOB K. JAVITS FEDERAL OFFICE BUILDING  
NEW YORK, NY**

Prospectus Number: PNY-0282-2-NY14  
Congressional District: 08

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**Recommendation**

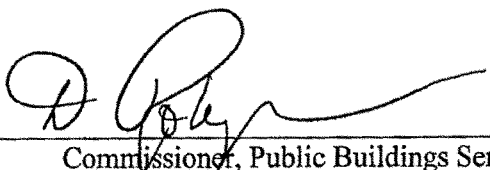
ALTERATION

**Certification of Need**


The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

## COMMITTEE RESOLUTION

ALTERATION—FRANK E. MOSS U.S. COURTHOUSE,  
SALT LAKE CITY, UT

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for the reconfiguration and alter-

ation of existing space of the Frank E. Moss U.S. Courthouse located at 350 South Main Street in Salt Lake City, Utah, to allow for the backfill of space by multiple tenant agencies currently housed in multiple leased locations, at a design cost of \$1,000,000, an estimated construction cost of \$13,000,000, and a management and inspection cost of \$1,000,000 for a total estimated project cost of

\$15,000,000, a prospectus for which is attached to and included in this resolution.

*Provided*, that the reconfigured space is backfilled and associated leased space is released.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.



GSAPBS

**PROSPECTUS - ALTERATION  
FRANK E. MOSS U.S. COURTHOUSE  
SALT LAKE CITY, UT**

Prospectus Number: PUT-0017-SA14  
Congressional District: 1

**FY2014 Project Summary**

The General Services Administration (GSA) proposes a repair and alteration project for the reconfiguration and alteration of existing space of the Frank E. Moss U.S. Courthouse, at 350 South Main Street, in Salt Lake City, UT. This project will allow for the backfill of vacant space when the U.S. District Court moves to the new Courthouse Annex. The proposed backfill will include several tenant agencies currently housed in multiple leased locations. The backfill of the vacant space will allow the Government to release costly leased space reducing the Government's rental payment to the private sector by approximately \$2,200,000 annually.

**FY2014 Committee Approval and Appropriation Requested**

**(Design, ECC and M&I) .....\$15,000,000**

**Major Work Items**

Interior Construction; partial plumbing and roof replacement

**Project Budget**

|   |                     |
|---|---------------------|
| Design .....                                      | \$1,000,000         |
| Estimated Construction Cost (ECC) .....           | 13,000,000          |
| Management and Inspection (M&I) .....             | 1,000,000           |
| <b>Estimated Total Project Cost (ETPC)* .....</b> | <b>\$15,000,000</b> |

\*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

**Schedule**

|                         | Start  | End    |
|-------------------------|--------|--------|
| Design and Construction | FY2014 | FY2017 |

**Building**

The Frank E. Moss U.S. Courthouse is 234,288 gross square foot (gsf) and was built in three phases: Phase I in 1903, Phase II in 1913 and Phase III in 1932. The Neoclassical Greek Revival building is a historic landmark and was listed on the National Register of Historic Places in 1978. The building was named after Frank Edward Moss, an attorney, judge, and U.S. Senator representing Utah. The building is constructed of concrete and granite and is located in the Central Business District of downtown Salt Lake City.

GSAPBS

**PROSPECTUS - ALTERATION  
FRANK E. MOSS U.S. COURTHOUSE  
SALT LAKE CITY, UT**

Prospectus Number: PUT-0017-SA14  
Congressional District: 1

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**Tenant Agencies Impacted**

Judiciary, U.S. Marshals Service, Department of Agriculture, Department of Justice, Tax Court, Department of Energy, Department of the Interior, Department of the Treasury, Social Security Administration, Health and Human Services, U.S. Army Corps of Engineers, GSA.

**Proposed Project**

The project proposes alterations to the courthouse to replace the domestic water lines as needed. There will be a partial roof replacement including replacement of a section in front of the east penthouse windows and the cornices of the north, east and south edges. Additional patch work for leaks and replacement of portions of the roof drain system will be completed. Interior upgrades including moving walls for reconfiguration of space, and relocating light fixtures.

**Major Work Items**

|                       |                     |
|-----------------------|---------------------|
| Replace Roof          | \$ 457,000          |
| Interior Construction | 12,095,000          |
| Replace Plumbing      | <u>448,000</u>      |
| <b>Total ECC</b>      | <b>\$13,000,000</b> |

**Justification**

When the US District Court vacates the Moss Courthouse in the spring of 2014 to relocate to the new Courthouse Annex, the Moss Courthouse will be approximately 2/3 vacant. This project provides for the backfill of the vacant space with agencies located in leased space. As a result, GSA retains a historic asset and eliminates approximately \$2.2 million in annual payments for private sector leases. The reconfiguration of space will provide a more efficient layout of the space. By removing walls a more open floor plan will result in increased capacity. Reconfiguration and re-occupancy of the Moss Courthouse is a lower cost and more secure option than disposal of this historic asset. The existing tunnel between the Moss Courthouse and the New Annex would create a security concern for the courts in the event that it was occupied by a non-Federal entity. Elimination of the tunnel would be a costly undertaking and would limit disposal options for this building.

GSAPBS

**PROSPECTUS - ALTERATION  
FRANK E. MOSS U.S. COURTHOUSE  
SALT LAKE CITY, UT**

Prospectus Number: PUT-0017-SA14  
Congressional District: 1

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The current domestic water lines are over 100 years old and significantly past their anticipated useful life. Main sections that are deteriorating will be replaced. The roof is weather damaged and in poor condition with roof drains that are rusted and clogged. Water is leaking into the building in various locations causing water damage to ceilings and walls.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**Prior Appropriations**

None

**Prior Committee Approvals**

None

**Prior Prospectus-Level Projects in Building (past 10 years)**

None

**Alternatives Considered (30-year, present value cost analysis)**

There are no feasible alternatives to this project. The cost of the proposed limited scope project is far less than the cost of leasing or constructing a new building.

GSAPBS

**PROSPECTUS - ALTERATION  
FRANK E. MOSS U.S. COURTHOUSE  
SALT LAKE CITY, UT**

Prospectus Number: PUT-0017-SA14  
Congressional District: 1

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**Recommendation**

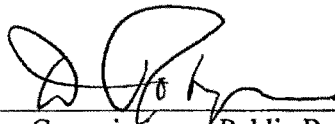
ALTERATION

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

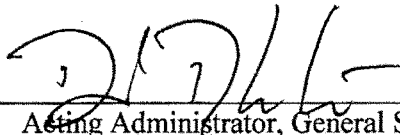
Submitted at Washington, DC, on April 4, 2013

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_



Acting Administrator, General Services Administration

April 2013

**Housing Plan**  
**Frank E. Moss U.S. Courthouse**

PUT-0017-SA14  
 Salt Lake City, UT

| Locations                                  | CURRENT    |            |                                       |              |               |               | PROPOSED  |       |   |         |         |        |
|--|------------|------------|---------------------------------------|--------------|---------------|---------------|-----------|-------|---|---------|---------|--------|
|  | Personnel  |            | Usable Square Feet (USF) <sup>1</sup> |              |               |               | Personnel |       | Usable Square Feet (USF)                          |         |         |        |
|  | Office     | Total      | Office                                | Storage      | Special       | Total         | Office    | Total | Office  | Storage | Special | Total  |
| <b>LEASED LOCATIONS</b>                    |            |            |                                       |              |               |               |           |       |   |         |         |        |
| <b>176 N 2200 West, Salt Lake City, UT</b> |            |            |                                       |              |               |               |           |       |   |         |         |        |
| National Agricultural Statistics Survey    | 10         | 10         | 2,662                                 | 150          | 200           | 3,012         | -         | -     | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| <b>2222 W 2300 S, West Valley City, UT</b> |            |            |                                       |              |               |               |           |       |   |         |         |        |
| Forest Service                             | 207        | 207        | 42,204                                | 3,171        | 10,596        | 55,971        | -         | -     | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| <b>405 S Main, Salt Lake City, UT</b>      |            |            |                                       |              |               |               |           |       |   |         |         |        |
| United States Trustees                     | 14         | 14         | 4,795                                 | 388          | 1,640         | 6,823         | -         | -     | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| <b>324 S State St, Salt Lake City, UT</b>  |            |            |                                       |              |               |               |           |       |   |         |         |        |
| Bureau of Prisons                          | 2          | 2          | 858                                   | 200          | 500           | 1,558         | -         | -     | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| Social Security Administration             | 10         | 10         | 1,630                                 | 300          | 800           | 2,730         | -         | -     | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| National Park Service                      | 11         | 11         | 2,550                                 | -            | -             | 2,550         |           |       | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| <b>50 S 200 E, Salt Lake City, UT</b>      |            |            |                                       |              |               |               |           |       |   |         |         |        |
| Internal Revenue Service                   | 6          | 6          | 523                                   | -            | -             | 523           | -         | -     | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| Western Area Power Administration          | 12         | 12         | 6,938                                 | 400          | 1,250         | 8,588         | -         | -     | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| Health & Human Services                    | 4          | 4          | 680                                   | 100          | 550           | 1,330         | -         | -     | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| <b>533 W 2600 S, Bountiful, UT</b>         |            |            |                                       |              |               |               |           |       |   |         |         |        |
| Corps of Engineers                         | 10         | 10         | 2,025                                 | -            | 550           | 2,575         | -         | -     | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| <b>Leased Locations Subtotal</b>           | <b>286</b> | <b>286</b> | <b>64,865</b>                         | <b>4,709</b> | <b>16,086</b> | <b>85,660</b> | -         | -     | -   | -       | -       | -      |
| <b>GOVERNMENT-OWNED LOCATIONS</b>          |            |            |                                       |              |               |               |           |       |   |         |         |        |
| <b>Wallace F Bennett FB</b>                |            |            |                                       |              |               |               |           |       |   |         |         |        |
| Tax Court                                  | -          | -          | 871                                   | -            | 2,388         | 3,259         | -         | -     | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| Department of Housing & Urban Development  | 19         | 19         | 10,397                                | 42           | 662           | 11,101        |           |       | relocating into the Frank E. Moss U.S. Courthouse |         |         | -      |
| <b>Subtotal</b>                            | <b>19</b>  | <b>19</b>  | <b>11,268</b>                         | <b>42</b>    | <b>3,050</b>  | <b>14,360</b> | -         | -     | -   | -       | -       | -      |
| <b>Frank E. Moss Courthouse</b>            |            |            |                                       |              |               |               |           |       |   |         |         |        |
| United States Marshals Service             | 16         | 16         | 6,129                                 | -            | 6,919         | 13,048        |           |       | relocating into the SLC U.S. Courthouse Annex     |         |         | -      |
| Office of U.S. Attorneys                   | 12         | 12         | 1,191                                 | -            | -             | 1,191         |           |       | relocating into the SLC U.S. Courthouse Annex     |         |         | -      |
| DHS - Federal Protective Service           | -          | -          | 170                                   | -            | -             | 170           |           |       | relocating into the SLC U.S. Courthouse Annex     |         |         | -      |
| GSA  | 6          | 6          | 688                                   | 691          | -             | 1,379         | 5         | 5     | 261   |         | 247     | 508    |
| Public Defender Service                    | 1          | 1          | 294                                   | -            | -             | 294           |           |       | relocating into the SLC U.S. Courthouse Annex     |         |         | -      |
| District Courts                            | -          | 1          | 386                                   | -            | 1,283         | 1,669         |           |       | relocating into the SLC U.S. Courthouse Annex     |         |         | -      |
| Bankruptcy Judge Courtrooms                | 9          | 12         | 3,325                                 | -            | 9,165         | 12,490        | -         | 16    | 8,905   | 176     | 11,230  | 20,311 |
| Bankruptcy Clerk                           | 61         | 61         | 13,271                                | 2,266        | 1,112         | 16,649        | 61        | 61    | 14,253  | 3,538   | 1,493   | 19,284 |
| Circuit Libraries                          | 2          | 2          | 2,128                                 | -            | 1,195         | 3,323         |           |       | relocating into the SLC U.S. Courthouse Annex     |         |         | -      |
| District Judge Courtrooms                  | 10         | 10         | 10,274                                | -            | 43,326        | 53,600        |           |       | relocating into the SLC U.S. Courthouse Annex     |         |         | -      |
| Magistrate Judge Chambers                  | 4          | 4          | 3,100                                 | -            | 4,992         | 8,092         |           |       | relocating into the SLC U.S. Courthouse Annex     |         |         | -      |
| District Clerk                             | 65         | 65         | 12,300                                | 6,956        | 6,421         | 25,677        |           |       | relocating into the SLC U.S. Courthouse Annex     |         |         | -      |
| Probation                                  | 15         | 15         | 6,716                                 | 1,032        | 1,175         | 8,923         |           |       | relocating into the SLC U.S. Courthouse Annex     |         |         | -      |
| National Agricultural Statistics Survey    | -          | -          | -                                     | -            | -             | -             | 5         | 5     | 400   | -       | 100     | 500    |
| Forest Service                             | -          | -          | -                                     | -            | -             | -             | 211       | 211   | 38,533  | 2,655   | 7,628   | 48,816 |

April 2013

**Housing Plan**  
**Frank E. Moss U.S. Courthouse**

PUT-0017-SA14  
Salt Lake City, UT

|  |            |            |                |               |               |                |            |            |               |               |               |                |
|--|------------|------------|----------------|---------------|---------------|----------------|------------|------------|---------------|---------------|---------------|----------------|
| United States Trustees                     | -          | -          | -              | -             | -             | -              | -          | -          | 952           | -             | 1,596         | 2,548          |
| Bureau of Prisons                          | -          | -          | -              | -             | -             | -              | 2          | 2          | 858           | 200           | 500           | 1,558          |
| Social Security Administration             | -          | -          | -              | -             | -             | -              | 10         | 10         | 900           | 300           | 800           | 2,000          |
| Internal Revenue Service                   | -          | -          | -              | -             | -             | -              | 6          | 6          | 523           | -             | -             | 523            |
| Western Area Power Administration          | -          | -          | -              | -             | -             | -              | 35         | 35         | 6,938         | 400           | 1,250         | 8,588          |
| Health & Human Services                    | -          | -          | -              | -             | -             | -              | 4          | 4          | 680           | 100           | 550           | 1,330          |
| Corps of Engineers                         | -          | -          | -              | -             | -             | -              | 12         | 12         | 2,150         | -             | 550           | 2,700          |
| Tax Court                                  | -          | -          | -              | -             | -             | -              | -          | -          | 1,371         | 200           | 1,729         | 3,300          |
| Department of Housing & Urban Development  |            |            |                |               |               |                | 7          | 7          | 3,500         | -             | -             | 3,500          |
| National Park Service                      |            |            |                |               |               |                | 15         | 15         | 1,850         | 200           | 500           | 2,550          |
| Joint Use                                  | -          | -          | -              | 177           | 738           | 915            | -          | -          | -             | 127           | 6,982         | 5,723          |
| Vacant/Unassigned <sup>2</sup>             | -          | -          | -              | -             | -             | -              | -          | -          | 2,313         | 19,982        | -             | 22,295         |
| <b>Government-Owned Locations Subtotal</b> | 201        | 205        | 59,972         | 11,122        | 76,326        | 147,420        | 373        | 389        | 84,387        | 27,878        | 35,155        | 147,420        |
| <b>Total</b>                               | <b>506</b> | <b>510</b> | <b>136,105</b> | <b>15,873</b> | <b>95,462</b> | <b>247,440</b> | <b>373</b> | <b>389</b> | <b>84,387</b> | <b>27,878</b> | <b>35,155</b> | <b>147,420</b> |

| Office Utilization Rate (UR) |         |          |
|------------------------------|---------|----------|
|                              | Current | Proposed |
| Rate <sup>3</sup>            | 191     | 141      |

UR=average amount of office space per person

Current UR excludes 16,404 usf of office support space

Proposed UR excludes 11,291 usf of office support space

| Special Space                      | USF           |
|------------------------------------|---------------|
| Court Elevator/Stairway/ Vestibule | 928           |
| Judicial Chambers                  | 2,550         |
| Food Service                       | 3,662         |
| Vault                              | 112           |
| ADP                                | 3,111         |
| Restrooms                          | 817           |
| Conference                         | 13,514        |
| Courtrooms                         | 8,464         |
| Fitness Center                     | 1,750         |
| Maintenance Shop                   | 247           |
| <b>Total</b>                       | <b>35,155</b> |

## NOTES:

<sup>1</sup>USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.<sup>2</sup>Identification of backfill tenants in progress<sup>3</sup>Calculation excludes Judiciary, Congress and agencies with less than 10 personnel

COMMITTEE RESOLUTION

ALTERATION—LEWIS F. POWELL JR. U.S.  
COURTHOUSE AND ANNEX, RICHMOND, VA

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for the reconfiguration and alteration of approximately 18,000 usable square

feet of vacant space in the Lewis F. Powell Jr. U.S. Courthouse and Annex located at 1100 E. Main Street in Richmond, Virginia, to allow for the relocation of the Court of Appeals Office of Staff Council from leased space, at an estimated construction cost of \$3,500,000 and a management and inspection cost of \$407,000 for a total estimated project cost of \$3,907,000, a prospectus for which is attached to and included in this resolution.

*Provided*, that the reconfigured space is backfilled by the Court of Appeals Office of Staff Council and the associated leased space is released.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS - ALTERATION  
LEWIS F. POWELL JR. U.S. COURTHOUSE AND ANNEX  
RICHMOND, VA**

Prospectus Number: PVA-0062-RI14  
Congressional District: 03

**FY2014 Project Summary**

The General Services Administration (GSA) proposes a repair and alteration project for the reconfiguration and alteration of approximately 18,000 usable square feet (usf) of vacant space in the Lewis F. Powell Jr. U.S. Courthouse and Annex (USCH Complex) at 1100 E. Main Street in Richmond, VA. The Court of Appeals Office of Staff Council (OSC), currently in leased space in Richmond, will relocate to the USCH Complex when their lease expires. Relocating OSC from leased space will allow the Government to reduce costly lease space reducing the Government's rental payment to the private sector by approximately \$500,000 annually.

**FY2014 Committee Approval and Appropriation Requested**

(ECC and M&I) .....\$3,907,000

**Major Work Items**

Interior construction; mechanical, electrical, fire protection and plumbing upgrades

**Project Budget<sup>1</sup>**

Estimated Construction Cost (ECC) .....\$3,500,000  
Management and Inspection (M&I).....\$407,000  
**Estimated Total Project Cost (ETPC)\*.....\$3,907,000**

\*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

**Schedule**

|              | <b>Start</b> | <b>End</b> |
|--------------|--------------|------------|
| Design       | FY2012       | FY2013     |
| Construction | FY2014       | FY2015     |

**Building**

The USCH Complex is comprised of the Lewis F Powell USCH and USCH Annex. The USCH Complex is located in the historic downtown area of Richmond, VA. The Powell USCH was originally constructed in 1858, is listed on the National Register of Historic Places and is one of the oldest buildings in GSA's inventory. The USCH Annex was built in 1963 directly adjacent to the existing USCH. The Annex is also listed on the

<sup>1</sup> Design funded by region in FY2012.



GSAPBS

**PROSPECTUS - ALTERATION  
LEWIS F. POWELL JR. U.S. COURTHOUSE AND ANNEX  
RICHMOND, VA**

Prospectus Number: PVA-0062-RI14  
Congressional District: 03

National Register of Historic Places. The two buildings share systems and infrastructure and are physically connected at the basement level and via a 3<sup>rd</sup> floor walkway. The USCH Complex primarily serve the needs of the U.S. Court of Appeals and their support agencies. The USCH is home primarily to the courtrooms, chambers and Circuit Library areas, while the Annex houses the Clerks, Circuit Executives office and GSA. The U.S. Marshals Service has a small presence in both buildings. The USCH Complex formerly housed all of the U.S. Courts functions in the city of Richmond including U.S. District Courts, U.S. Bankruptcy Courts and the Court of Appeals. In 2008, a new U.S. District Courthouse opened, which moved the District and Bankruptcy Court functions out of the USCH Complex and into the new facility.

**Tenant Agencies**

Judiciary, Department of Justice, GSA

**Proposed Project**

Under the current design, the OSC will relocate from leased space into approximately 18,000 USF within the USCH Complex. There is currently vacant space on the 2<sup>nd</sup> and 3<sup>rd</sup> floor of the USCH Annex and the 3<sup>rd</sup> floor of the USCH that will be used to meet the space needs of OSC.

The OSC fit out is primarily private offices, with conference rooms, training rooms and other support space. Interior renovations, mainly consisting of tenant improvement work, are the primary focus of this project. In addition to the tenant fit out, the project requires demolition, HVAC upgrades and electrical distribution system upgrades.

**Major Work Items**

|                            |                    |
|----------------------------|--------------------|
| Interior Construction      | \$2,143,000        |
| Fire Protection            | 348,000            |
| Mechanical System Upgrades | 205,000            |
| Electrical System Upgrades | 772,000            |
| Plumbing System Upgrades   | <u>32,000</u>      |
| <b>Total ECC</b>           | <b>\$3,500,000</b> |

GSAPBS

**PROSPECTUS - ALTERATION  
LEWIS F. POWELL JR. U.S. COURTHOUSE AND ANNEX  
RICHMOND, VA**

Prospectus Number: PVA-0062-RI14  
Congressional District: 03

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**Justification**

The OSC is currently housed in leased space located at 600 Main St in Richmond, VA. There is space available at the USCH Complex and the mission of OSC is consistent with and related to the other courts agencies currently located in the complex. Moving OSC into the federal complex will create operational efficiencies for the agencies and will also save money by eliminating leasing costs. Additionally, the government does not have the option to remain at the current location beyond the lease expiration. If this project is not undertaken, OSC will have to move to another leased location resulting in higher long term costs to the taxpayer.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**Prior Appropriations**

None

**Prior Committee Approvals**

None

**Prior Prospectus-Level Projects in Building (past 10 years)**

None

**Alternatives Considered (30 year, present value cost analysis)**

The proposed backfill of space eliminates the cost of leased space and is the most economically feasible alternative.

GSA

PBS

**PROSPECTUS - ALTERATION  
LEWIS F. POWELL JR. U.S. COURTHOUSE AND ANNEX  
RICHMOND, VA**

Prospectus Number: PVA-0062-RI14  
Congressional District: 03

**Recommendation**

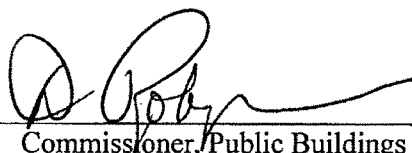
ALTERATION

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

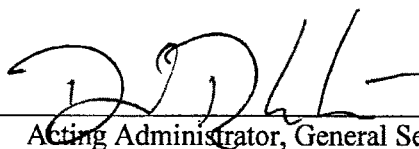
Submitted at Washington, DC, on April 4, 2013

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_



Acting Administrator, General Services Administration

April 2013

**Housing Plan**  
**Lewis F. Powell Jr. U.S. Courthouse and Annex**

PVA-0062-RI14  
 Richmond, VA

| Locations                             | CURRENT    |            |                                       |               |               |                | PROPOSED   |            |                          |               |               |                |
|---------------------------------------|------------|------------|---------------------------------------|---------------|---------------|----------------|------------|------------|--------------------------|---------------|---------------|----------------|
|                                       | Personnel  |            | Usable Square Feet (USF) <sup>1</sup> |               |               |                | Personnel  |            | Usable Square Feet (USF) |               |               |                |
|                                       | Office     | Total      | Office <sup>2</sup>                   | Storage       | Special       | Total          | Office     | Total      | Office                   | Storage       | Special       | Total          |
| <b>600 Main Street Center (lease)</b> |            |            |                                       |               |               |                |            |            |                          |               |               |                |
| Office of Staff Council               | 45         | 45         | 9,855                                 | 2883          | 4094          | 16,832         |            |            |                          |               |               |                |
| <b>Powell U.S. Courthouse Annex</b>   |            |            |                                       |               |               |                |            |            |                          |               |               |                |
| Circuit Executive                     | 16         | 16         | 6,700                                 | 167           | 1,649         | 8,516          | 16         | 16         | 6,700                    | 167           | 1,649         | 8,516          |
| Court of Appeals Clerk                | 67         | 67         | 20,444                                | 4,506         | 2,100         | 27,050         | 67         | 67         | 19,838                   | 4,506         | 2,100         | 26,443         |
| GSA                                   | 1          | 1          | -                                     | -             | 1,195         | 1,195          | 1          | 1          | -                        | -             | 1,195         | 1,195          |
| Office of Staff Council               |            |            | -                                     | -             | -             | -              | 64         | 64         | 16,901                   | 2,148         | 3,225         | 22,274         |
| Joint Use                             |            |            |                                       | 3,165         |               | 3,165          |            |            | -                        | 3,165         | -             | 3,165          |
| Vacant Space                          |            |            | 16,411                                | 10            | 17,319        | 33,740         |            |            | 3,439                    | -             | 8,633         | 12,072         |
| <b>Subtotal</b>                       | <b>84</b>  | <b>84</b>  | <b>43,555</b>                         | <b>7,848</b>  | <b>22,263</b> | <b>73,666</b>  | <b>148</b> | <b>148</b> | <b>46,878</b>            | <b>9,986</b>  | <b>16,802</b> | <b>73,666</b>  |
| <b>Powell U.S. Courthouse</b>         |            |            |                                       |               |               |                |            |            |                          |               |               |                |
| Court of Appeals                      | 108        | 108        | 2,529                                 | -             | 47,428        | 49,957         | 108        | 108        | 2,529                    | -             | 47,428        | 49,957         |
| Circuit Executive                     |            |            | 376                                   | 2,705         | 967           | 4,048          |            |            | 376                      | 2,705         | 967           | 4,048          |
| Circuit Library                       | 8          | 8          | 14,405                                | 2,227         | 652           | 17,284         | 8          | 8          | 14,405                   | 2,227         | 652           | 17,284         |
| COA Clerks                            |            |            | 5,400                                 | 1,224         | 778           | 7,402          |            |            | 5,400                    | 1,224         | 778           | 7,402          |
| GSA                                   | 2          | 2          | 815                                   | 2,631         | 121           | 3,567          | 2          | 2          | 815                      | 2,631         | 121           | 3,567          |
| US Marshal                            | 2          | 2          | 1,036                                 | -             | 1,609         | 2,645          | 2          | 2          | 1,036                    | -             | 1,609         | 2,645          |
| Vacant Space                          |            |            | 10,899                                | -             | 3,979         | 14,878         |            |            | 10,899                   | -             | 3,979         | 14,878         |
| <b>Subtotal</b>                       | <b>120</b> | <b>120</b> | <b>35,460</b>                         | <b>8,787</b>  | <b>55,534</b> | <b>99,781</b>  | <b>120</b> | <b>120</b> | <b>35,460</b>            | <b>8,787</b>  | <b>55,534</b> | <b>99,781</b>  |
| <b>Total</b>                          | <b>249</b> | <b>249</b> | <b>88,870</b>                         | <b>19,518</b> | <b>81,891</b> | <b>190,279</b> | <b>268</b> | <b>268</b> | <b>82,338</b>            | <b>18,773</b> | <b>72,336</b> | <b>173,447</b> |

| Special Space        | USF           |
|----------------------|---------------|
| Restrooms            | 4,035         |
| Courtrooms           | 15,576        |
| Chambers             | 42,488        |
| Conference           | 6,641         |
| Food Service         | 1,867         |
| ADP                  | 608           |
| Library              | 814           |
| Floor Cut            | 182           |
| Structurally Changed | 125           |
| <b>Total</b>         | <b>72,336</b> |

## NOTES:

<sup>1</sup>USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.  
 No office utilization rate calculation due to exclusion of Judiciary, Congress and agencies with less than 10 personnel

COMMITTEE RESOLUTION

ALTERATION—FEDERAL BUILDING AND U.S. POST  
OFFICE AND COURTHOUSE, RICHLAND, WA

*Resolved by the Committee on Transportation  
and Infrastructure of the U.S. House of Rep-  
resentatives*, that pursuant to 40 U.S.C. §3307,  
appropriations are authorized for repairs and

alterations to upgrade the electrical and ele-  
vator systems in the Federal Building and  
U.S. Post Office and Courthouse located at  
825 Jadwin Avenue in Richland, Washington,  
at a design cost of \$1,320,000, an estimated  
construction cost of \$11,517,000, and a man-  
agement and inspection cost of \$1,233,000 for

a total estimated project cost of \$14,070,000, a  
prospectus for which is attached to and in-  
cluded in this resolution.

*Provided*, that the General Services Admin-  
istration shall not delegate to any other  
agency the authority granted by this resolu-  
tion.

GSAPBS

**PROSPECTUS - ALTERATION  
FEDERAL BUILDING AND U.S. POST OFFICE AND COURTHOUSE  
RICHLAND, WA**

Prospectus Number: PWA-0063-RI14  
Congressional District: 04

**FY2014 Project Summary**

The General Services Administration (GSA) proposes a repair and alteration project to upgrade the electrical and elevator systems in the Federal Building and U.S. Post Office and Courthouse located at 825 Jadwin Avenue in Richland, WA. The electrical and elevator systems are original to the building constructed in 1965 and have reached the end of their useful life. Parts to repair the elevators are no longer manufactured, when needed, they have to be fabricated at great expense to the government and the repairs cause the elevators to be taken out of service for extended periods of time.

**FY2014 Committee Approval and Appropriation Requested**

(Design, ECC and M&I) .....\$14,070,000

**Major Work Items**

Elevator and electrical upgrades

**Project Budget**

|   |                     |
|---|---------------------|
| Design .....                                    | \$1,320,000         |
| Estimated Construction Cost (ECC) .....         | \$11,517,000        |
| Management and Inspection (M&I).....            | \$1,233,000         |
| <b>Estimated Total Project Cost (ETPC).....</b> | <b>\$14,070,000</b> |

\*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

**Schedule**

|                         | <b>Start</b> | <b>End</b> |
|-------------------------|--------------|------------|
| Design and Construction | FY2014       | FY2016     |

**Building**

The Federal Building, built in 1965, is 386,561 gross square feet (gsf). It consists of an eight-story office tower with two adjoined wings and has 82 outdoor parking spaces.

**Tenant Agencies**

Department of Energy, Department of Veteran Affairs, Department of Justice, Judiciary, Homeland Security, Department of Defense, Senate, U.S. Postal Service, GSA and Department of the Treasury

GSAPBS

**PROSPECTUS - ALTERATION  
FEDERAL BUILDING AND U.S. POST OFFICE AND COURTHOUSE  
RICHLAND, WA**

Prospectus Number: PWA-0063-RI14  
Congressional District: 04

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**Proposed Project**

The proposed project consists of upgrades to the electrical systems and the elevators in the Tower building.

**Major Work Items**

|                           |                     |
|---------------------------|---------------------|
| Upgrade Electrical System | \$8,388,000         |
| Upgrade Elevators         | 2,508,000           |
| Interior Demolition       | <u>621,000</u>      |
| <b>Total ECC</b>          | <b>\$11,517,000</b> |

**Justification**

The electrical systems components are original to the 1965 construction of the building and are near the end of their useful life. The components targeted under this project serve the electrical power distribution systems and the emergency power distribution system. This will improve servicing and increase electrical capacity loads to meet current standards.

The Elevator systems cabs, parts, and components are original to the building and need upgrades. Parts have to be custom fabricated whenever elevator repairs are done. These repairs take the cabs out of service for extended time periods. Upgrades to the elevator system will improve serviceability as replacements parts are obsolete and no longer available.

The proposed upgrades will result in building operations, maintenance and energy savings for the Federal Building.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**Prior Appropriations**

None

**Prior Committee Approvals**

None

GSAPBS

**PROSPECTUS - ALTERATION  
FEDERAL BUILDING AND U.S. POST OFFICE AND COURTHOUSE  
RICHLAND, WA**

Prospectus Number: PWA-0063-RI14  
Congressional District: 04

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**Prior Prospectus-Level Projects in Building (past 10 years)**

None

**Alternatives Considered**

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.



GSA

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**PROSPECTUS - ALTERATION  
FEDERAL BUILDING AND U.S. POST OFFICE AND COURTHOUSE  
RICHLAND, WA**

Prospectus Number: PWA-0063-RI14  
Congressional District: 04

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**Recommendation**


ALTERATION

**Certification of Need**

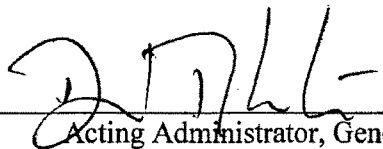
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 4, 2013

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

## COMMITTEE RESOLUTION

DESIGN—WILLIAM J. GREEN, JR. FEDERAL  
BUILDING, PHILADELPHIA, PA

*Resolved by the Committee on Transportation  
and Infrastructure of the U.S. House of Rep-  
resentatives, that pursuant to 40 U.S.C. §3307,*

appropriations are authorized for the design  
of repairs and alterations for building sys-  
tem repairs, security upgrades, and shell  
work for floors three through ten at the Wil-  
liam J. Green, Jr. Federal Building located  
at 600 Arch Street in Philadelphia, Pennsyl-  
vania, at a design cost of \$6,500,000, a pro-

spectus for which is attached to and included  
in this resolution.

*Provided*, that the General Services Admin-  
istration shall not delegate to any other  
agency the authority granted by this resolu-  
tion.

GSAPBS

**PROSPECTUS – ALTERATION**  
**Prospectus for Design**

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**Description**

The General Services Administration (GSA) is seeking committee approval for one design project during fiscal year 2014 that we will schedule for construction in future years. A project description is attached.

**Justification**

By seeking approval to start the design for the project prior to construction phase funding, an orderly and timely accomplishment of a planned program is ensured. Under the separate funding approach, we will submit the construction prospectus for the project along with the budget request.

The subject project addresses realignment and consolidation of agency space, and replacing and repairing affected building and safety systems.

**Recommendation**

Approve design for \$6,500,000 for the project attached. The construction costs indicated at this time are preliminary and will be refined and finalized prior to future requests for funding.

**Committee Approval and Appropriation Requested in this Prospectus**

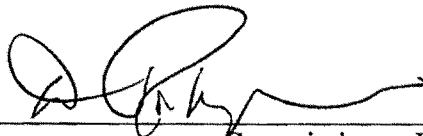
(Design) .....\$6,500,000

**Certification of Need**

The proposed projects are the best solutions to meet validated Government needs.

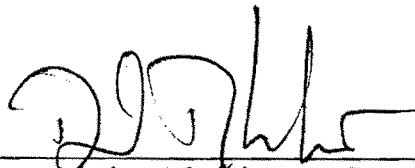
Submitted at Washington, DC, on April 4, 2013

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_



Acting Administrator, General Services Administration

GSAPBS

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**PROSPECTUS – ALTERATION**  
**Prospectus for Design**

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**FISCAL YEAR 2014 ALTERATION DESIGN PROJECTS**  
**(Alphabetical by State)**

**LOCATION****FY 2014 FUNDING**

Philadelphia, PA

William J. Green, Jr. Federal Building

\$6,500,000

**TOTAL.....\$6,500,000**

GSAPBS

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**PROSPECTUS – ALTERATION**  
**Prospectus for Design**

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Prospectus Number: PDS-02014  
Congressional District: 01

|  |  |
|--|--|
| <b><u>PROJECT:</u></b>                             | William J. Green, Jr. Federal Building |
| <b><u>LOCATION:</u></b>                            | Philadelphia, PA                       |
| <b><u>ESTIMATED TOTAL PROJECT COST:</u></b>        | \$ 65,300,000                          |
| <b><u>DESIGN:</u></b>                              | \$ 6,500,000                           |
| <b><u>CONSTRUCTION:</u></b>                        | \$ 53,400,000                          |
| <b><u>MANAGEMENT &amp; INSPECTION:</u></b>         | \$ 5,400,000                           |
| <b><u>AMOUNT REQUESTED IN FY2014 (Design):</u></b> | \$ 6,500,000                           |

**WORK ITEM SUMMARY**

Interior construction, HVAC replacement and upgrades, electrical replacement, seismic repairs and structural reinforcement, demolition and abatement, security upgrades, fire/life safety repairs, exterior repairs

**DESCRIPTION**

The General Services Administration (GSA) proposes a repair and alteration project for the William J. Green, Jr. Federal Building (Green Building) located at 600 Arch Street in Philadelphia, PA. The proposed project includes building system repairs, security upgrades, and shell work with tenant improvements for floors three through ten..

The proposed alteration project will provide an effective long term housing solution for the Federal Bureau of Investigation Field Office, Drug Enforcement Agency Field Division Office and the Internal Revenue Service. The renovation will significantly improve the building's current utilization to allow local private sector leases to consolidate into the federally owned space. All involved agencies will more efficiently occupy their space through a variety of economical workplace solutions. By maximizing existing federal space through the modernization of the workspace, GSA will be able to terminate several costly leases that have a current annual cost of \$2,900,000.

The Green Building along with the adjoining James A. Byrne Courthouse is part of a 1.7 million gross square foot federal complex in downtown Philadelphia. It is the largest federal complex in the Philadelphia area. The Green Building was designed along with the Byrne Courthouse to share common mechanical systems and exterior brick styling. The first floors are linked by a common circulation area, which includes a Ceremonial Courtroom and plaza. The complex also shares an underground parking garage.

## COMMITTEE RESOLUTION

LEASE—CORPORATION FOR NATIONAL AND  
COMMUNITY SERVICE, WASHINGTON, DC

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 105,000 rentable square feet of space, including 3 official parking spaces, for the Corporation for National and Community Service, currently located at 1201–1225 New York Avenue, NW in Washington, DC, at a proposed total annual cost of \$5,250,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all

tenants, if necessary, prior to the execution of the new lease.

*Provided* that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 198 square feet or less per person.

*Provided* that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 198 square feet or higher per person.

*Provided* that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

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**PROSPECTUS — LEASE  
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE  
WASHINGTON, DC**

Prospectus Number: PDC-03WA14

**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 105,000 rentable square feet (RSF) for the Corporation for National and Community Service (CNCS) located at 1201-1225 New York Avenue NW, Washington, DC. The current lease expires October 11, 2014.

The replacement lease will provide continued housing for CNCS, and will improve CNCS' office and overall utilization rates from 151 to 129 usable square feet (USF) per person and 226 to 198 USF per person, respectively, while housing current personnel in 6,159 RSF less than the total of its current occupancies at the New York Avenue, NW locations.

**Description**

|   |  |
|---|--|
| Occupant:                                   | CNCS                                   |
| Lease Type                                  | Replacement                            |
| Current Rentable Square Feet (RSF)          | 111,159 (Current RSF/USF = 1.12)       |
| Proposed Maximum RSF:                       | 105,000 (Proposed RSF/USF = 1.20)      |
| Expansion/Reduction RSF <sup>1</sup> :      | 6,159 RSF Reduction                    |
| Current Usable Square Feet/Person:          | 226                                    |
| Proposed Usable Square Feet/Person:         | 198                                    |
| Proposed Maximum Lease Term:                | 15 years                               |
| Expiration Dates of Current Lease(s):       | 10/11/2014                             |
| Delineated Area:                            | Washington, DC CEA                     |
| Number of Official Parking Spaces:          | 3                                      |
| Scoring:                                    | Operating Lease                        |
| Maximum Proposed Rental Rate <sup>2</sup> : | \$50.00/RSF                            |
| Proposed Total Annual Cost <sup>3</sup> :   | \$5,250,000                            |
| Current Total Annual Cost:                  | \$4,591,391 (Lease effective 10/12/04) |

<sup>1</sup> The RSF/USF at the current location is approximately 1.12. However, to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

<sup>2</sup> This estimate is for fiscal year 2015 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

<sup>3</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE  
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE  
WASHINGTON, DC**

Prospectus Number: PDC-03WA14

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**Background**

Headquartered in Washington DC, CNCS is an independent federal agency that is one of the government's largest grant providers to help organizations at the community level to implement projects or ideas that require special funding or assistance.

**Justification**

The current lease at 1201-1225 New York Ave NW, Washington, DC expires on October 11, 2014, and will leave CNCS without continued housing, unless a replacement lease is obtained.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

**Interim Leasing**

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.



GSA

PBS

**PROSPECTUS – LEASE  
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE  
WASHINGTON, DC**

Prospectus Number: PDC-03WA14

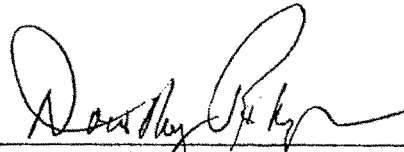
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**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

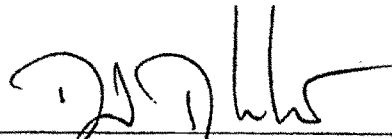
Submitted at Washington, DC, on January 8, 2014

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_



Administrator, General Services Administration

April 2013

**Housing Plan**  
**Corporation for National and Community Service**

PDC-03-WA14  
 Washington, DC

| Locations                                     | CURRENT    |            |                                       |              |               |               | PROPOSED   |            |                          |              |               |               |
|---|------------|------------|---------------------------------------|--------------|---------------|---------------|------------|------------|--------------------------|--------------|---------------|---------------|
|   | Personnel  |            | Usable Square Feet (USF) <sup>1</sup> |              |               |               | Personnel  |            | Usable Square Feet (USF) |              |               |               |
|   | Office     | Total      | Office                                | Storage      | Special       | Total         | Office     | Total      | Office                   | Storage      | Special       | Total         |
| 1201-1225 New York Avenue, NW, Washington, DC | 440        | 440        | 85,291                                | 1,333        | 12,771        | 99,395        |            |            |                          |              |               |               |
| Proposed Lease, Washington, DC                |            |            |                                       |              |               |               | 440        | 440        | 72,500                   | 2,000        | 12,771        | 87,271        |
| <b>Total</b>                                  | <b>440</b> | <b>440</b> | <b>85,291</b>                         | <b>1,333</b> | <b>12,771</b> | <b>99,395</b> | <b>440</b> | <b>440</b> | <b>72,500</b>            | <b>2,000</b> | <b>12,771</b> | <b>87,271</b> |

| Office Utilization Rate (UR) <sup>2</sup> |         |          |
|---|---------|----------|
|   | Current | Proposed |
| Rate                                      | 151     | 129      |

UR=average amount of office space per person

Current UR excludes 18,764 usf of office support space

Proposed UR excludes 15,950 usf of office support space

| Overall UR <sup>3</sup> |         |          |
|-------------------------|---------|----------|
|                         | Current | Proposed |
| Rate                    | 226     | 198      |

| R/U Factor <sup>4</sup> |           |         |         |
|-------------------------|-----------|---------|---------|
|                         | Total USF | RSF/USF | Max RSF |
| Current                 | 99,395    | 1.12    | 111,159 |
| Proposed                | 87,271    | 1.20    | 105,000 |

| Special Space | USF           |
|---------------|---------------|
| Conference    | 5,701         |
| ADP           | 1,500         |
| File Room     | 2,000         |
| Break Room    | 800           |
| Health Unit   | 270           |
| Mail          | 500           |
| Copy Room     | 2,000         |
| <b>Total</b>  | <b>12,771</b> |

## NOTES:

<sup>1</sup>USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.<sup>2</sup>Calculation excludes Judiciary, Congress and agencies with less than 10 people<sup>3</sup>USF/Person = housing plan total USF divided by total personnel<sup>4</sup>R/U Factor = Max RSF divided by total USF

## COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF JUSTICE, EXECUTIVE  
OFFICE FOR IMMIGRATION REVIEW, NORTHERN  
VIRGINIA

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 176,000 rentable square feet of space for the Department of Justice, Executive Office for Immigration Review, currently located at 5107 and 5201 Leesburg Pike in Falls Church, Virginia, at a proposed total annual cost of \$6,864,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all

tenants, if necessary, prior to the execution of the new lease.

*Provided* that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 199 square feet or less per person.

*Provided* that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 199 square feet or higher per person.

*Provided* that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
NORTHERN VIRGINIA**

Prospectus Number: PVA-01-WA14  
Congressional District: VA-8, 10, 11

**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 176,000 rentable square feet of space for the Department of Justice, Executive Office for Immigration Review (EOIR), currently housed at 5107 and 5201 Leesburg Pike in Falls Church, Virginia.

The proposed lease will enable EOIR to provide continued housing for its operations, while improving its office and overall utilization rates from 142 to 127 and 222 to 199 USF per person, respectively, while housing its current personnel in 14,181 RSF less than the total of its current occupancies.

**Description**

|   |  |
|---|--|
| Occupant:                                   | DOJ-EOIR   |
| Lease Type                                  | Replacement  |
| Current Rentable Square Feet (RSF)          | 190,181 (Current RSF/USF = 1.14)                   |
| Proposed Maximum RSF:                       | 176,000 (Proposed RSF/USF = 1.20)                  |
| Expansion/Reduction RSF:                    | 14,181 RSF Reduction                               |
| Current Usable Square Feet/Person:          | 222  |
| Proposed Usable Square Feet/Person:         | 199  |
| Proposed Maximum Lease Term:                | 15 years   |
| Expiration Dates of Current Lease(s):       | 9/15/2015  |
| Delineated Area:                            | Northern Virginia                                  |
| Number of Official Parking Spaces:          | None   |
| Scoring:                                    | Operating Lease                                    |
| Maximum Proposed Rental Rate <sup>1</sup> : | \$39.00 / RSF                                      |
| Proposed Total Annual Cost <sup>2</sup> :   | \$6,864,000  |
| Current Total Annual Cost:                  | \$5,735,485 (Leases effective 9/16/05 and 10/9/07) |

<sup>1</sup> This estimate is for fiscal year 2015 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

<sup>2</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
NORTHERN VIRGINIA**

Prospectus Number: PVA-01-WA14  
Congressional District: VA-8, 10, 11

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**Background**

EOIR's mission is to adjudicate immigration cases under delegated authority from the Attorney General. EOIR interprets and administers federal immigration laws by conducting immigration court proceedings, appellate reviews, and administrative hearings.

**Justification**

The current leases at 5107 Leesburg Pike and 5201 Leesburg Pike in Falls Church, Virginia will expire on September 15, 2015, leaving DOJ-EOIR without continued housing unless a replacement lease is obtained. The total space request under this prospectus reflects a reduced total space requirement that would house all of the functions and personnel currently housed in these two locations.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

**Interim Leasing**

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
NORTHERN VIRGINIA**

Prospectus Number: PVA-01-WA14  
Congressional District: VA-8, 10, 11

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**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on January 8, 2014

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Administrator, General Services Administration

April 2013

**Housing Plan  
Department of Justice**

**PVA-01-WA14  
Northern Virginia**

| Locations                            | CURRENT    |            |                                       |              |               |                | PROPOSED   |            |                          |              |               |                |
|--------------------------------------|------------|------------|---------------------------------------|--------------|---------------|----------------|------------|------------|--------------------------|--------------|---------------|----------------|
|                                      | Personnel  |            | Usable Square Feet (USF) <sup>1</sup> |              |               |                | Personnel  |            | Usable Square Feet (USF) |              |               |                |
|                                      | Office     | Total      | Office                                | Storage      | Special       | Total          | Office     | Total      | Office                   | Storage      | Special       | Total          |
| 5107 Leesburg Pike, Falls Church, VA | 727        | 727        | 132,352                               | 5,860        | 23,349        | 161,561        |            |            |                          |              |               |                |
| 5201 Leesburg Pike, Falls Church, VA | 6          | 6          | 750                                   | -            | 4,496         | 5,246          |            |            |                          |              |               |                |
| Proposed Lease, Northern VA          |            |            |                                       |              |               | -              |            |            |                          |              |               |                |
| <b>Total</b>                         | <b>733</b> | <b>733</b> | <b>133,102</b>                        | <b>5,860</b> | <b>27,845</b> | <b>166,807</b> | <b>733</b> | <b>733</b> | <b>119,759</b>           | <b>5,193</b> | <b>21,237</b> | <b>146,189</b> |

| Office Utilization Rate (UR) <sup>2</sup> |         |          |
|---|---------|----------|
|   | Current | Proposed |
| Rate                                      | 142     | 127      |

UR=average amount of office space per person  
 Current UR excludes 29,117 usf of office support space  
 Proposed UR excludes 26,347 usf of office support space

| Overall UR <sup>3</sup> |         |          |
|-------------------------|---------|----------|
|                         | Current | Proposed |
| Rate                    | 222     | 199      |

| R/U Factor <sup>4</sup> | Total USF | RSF/USF | Max RSF |
|-------------------------|-----------|---------|---------|
| Current                 | 166,807   | 1.14    | 190,181 |
| Proposed                | 146,189   | 1.20    | 176,000 |

| Special Space  | USF           |
|----------------|---------------|
| Conference     | 6,533         |
| ADP            | 2,067         |
| Case File Room | 9,788         |
| Break Room     | 2,182         |
| Courtroom      | 667           |
| <b>Total</b>   | <b>21,237</b> |

## NOTES:

<sup>1</sup>USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

<sup>2</sup>Calculation excludes Judiciary, Congress and agencies with less than 10 people

<sup>3</sup>USF/Person = housing plan total USF divided by total personnel

<sup>4</sup>R/U Factor = Max RSF divided by total USF

## COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF THE TREASURY, FINANCIAL CRIMES ENFORCEMENT NETWORK, NORTHERN VIRGINIA

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 125,000 rentable square feet of space, including 4 official parking spaces, for the Department of the Treasury, Financial Crimes Enforcement Network currently located at 2070 Chain Bridge Road in Vienna, Virginia, at a proposed total annual cost of \$4,875,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all

tenants, if necessary, prior to the execution of the new lease.

*Provided* that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 241 square feet or less per person.

*Provided* that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 241 square feet or higher per person.

*Provided* that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.



GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF THE TREASURY  
FINANCIAL CRIMES ENFORCEMENT NETWORK  
NORTHERN VIRGINIA**

Prospectus Number: PVA-05-WA13  
Congressional District: 8, 10, 11

**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 125,000 rentable square feet (RSF) for the Department of the Treasury, Financial Crimes Enforcement Network (FINCEN), currently located at 2070 Chain Bridge Road, Vienna, VA. FINCEN has been at their current leased location since 2004. The lease expires on July 8, 2014.

FINCEN will improve its utilization office utilization rate from 181 usable square feet (USF) to 130 USF per person and its overall utilization rate from 322 USF to 241 USF per person. As a result, this prospectus proposes to house FINCEN personnel in 44,682 RSF less space than their current occupancy of 169,682 RSF.

**Description**

|   |                                    |
|---|------------------------------------|
| Occupant:                                   | FINCEN                             |
| Lease Type                                  | Replacement                        |
| Current RSF                                 | 169,682 (Current RSF/USF = 1.11)   |
| Proposed Maximum RSF:                       | 125,000 (Proposed RSF/USF=1.20)    |
| Expansion Space RSF <sup>1</sup> :          | Reduction of 44,682 RSF            |
| Current USF/Person:                         | 322                                |
| Proposed USF/Person:                        | 241                                |
| Proposed Maximum Leasing Authority:         | 15 years                           |
| Expiration Dates of Current Lease(s):       | 7/8/14                             |
| Delineated Area:                            | Northern Virginia                  |
| Number of Official Parking Spaces:          | 4                                  |
| Scoring:                                    | Operating Lease                    |
| Maximum Proposed Rental Rate <sup>2</sup> : | \$39.00                            |
| Proposed Total Annual Cost <sup>3</sup> :   | \$4,875,000                        |
| Current Total Annual Cost:                  | \$4,085,052 (lease effective 2004) |

<sup>1</sup>The RSF/USF at the current location is approximately 1.11, however to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

<sup>2</sup> This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>3</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF THE TREASURY  
FINANCIAL CRIMES ENFORCEMENT NETWORK  
NORTHERN VIRGINIA**

Prospectus Number: PVA-05-WA13  
Congressional District: 8, 10, 11

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**Background**

The U.S. Department of the Treasury established the Financial Crimes Enforcement Network in 1990 to provide a government-wide multisource financial intelligence and analysis network. FINCEN's mission is to enhance U.S. national security, deter and detect criminal activity, and safeguard financial systems from abuse by promoting transparency in the U.S. and international financial systems. It's responsible for administering the Bank Secrecy Act, one of the nation's most potent weapons for preventing corruption of the U.S. financial system. In 2001, the USA PATRIOT Act broadened the scope of the Bank Secrecy Act to focus on terrorist financing as well as money laundering, combating financial crime, and enforcing economic sanctions against rogue nations.

**Justification**

The current lease at 2070 Chain Bridge Road, Vienna, VA expires on July 8, 2014 and FINCEN requires continued housing to carry out its critical mission.

The maximum proposed rental rate is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease on July 8, 2014. GSA will procure the lease with prevailing market rental rates as a benchmark for the evaluation of competitive offers, and as a basis for negotiating with offerors to ensure that the lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF THE TREASURY  
FINANCIAL CRIMES ENFORCEMENT NETWORK  
NORTHERN VIRGINIA**

Prospectus Number: PVA-05-WA13  
Congressional District: 8, 10, 11

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**Interim Leasing**

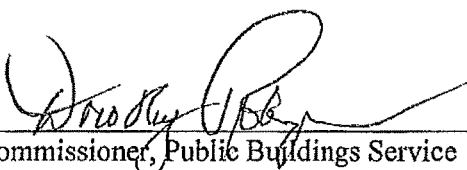
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

**Certification of Need**

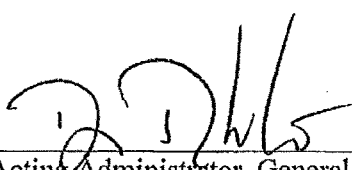
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

August 2012

**Housing Plan**  
**Department of the Treasury**  
**FINCEN**

PVA-05-WA13  
 Northern Virginia

| Locations                        | Current    |            |                          |              |               |                | Proposed   |            |                          |              |               |                |
|----------------------------------|------------|------------|--------------------------|--------------|---------------|----------------|------------|------------|--------------------------|--------------|---------------|----------------|
|                                  | Personnel  |            | Usable Square Feet (USF) |              |               |                | Personnel  |            | Usable Square Feet (USF) |              |               |                |
|                                  | Office     | Total      | Office                   | Storage      | Special       | Total          | Office     | Total      | Office                   | Storage      | Special       | Total          |
| 2070 Chain Bridge Rd, Vienna, VA | 473        | 473        | 109,565                  | 4,420        | 38,312        | 152,297        |            |            |                          |              |               |                |
| Proposed Lease                   |            |            |                          |              |               |                | 430        | 430        | 71,667                   | 2,444        | 29,720        | 103,831        |
| <b>TOTAL</b>                     | <b>473</b> | <b>473</b> | <b>109,565</b>           | <b>4,420</b> | <b>38,312</b> | <b>152,297</b> | <b>430</b> | <b>430</b> | <b>71,667</b>            | <b>2,444</b> | <b>29,720</b> | <b>103,831</b> |

| Office Utilization Rate (UR) * |         |          |
|--------------------------------|---------|----------|
|                                | Current | Proposed |
| Rate                           | 181     | 130      |

\* UR = average amount of office space per person  
 Current UR excludes 24,104 usf of office support space  
 Proposed UR excludes 15,767 usf of office support space

| USF/Person ** |         |          |
|---------------|---------|----------|
|               | Current | Proposed |
| Rate          | 322     | 241      |

\*\* USF/Person = housing plan total USF divided by total personnel

|          | Total USF | RSF/USF | Maximum RSF |
|----------|-----------|---------|-------------|
| Current  | 152,297   | 1.11    | 169,682     |
| Proposed | 103,831   | 1.20    | 125,000     |

| Special Space   | USF           |
|-----------------|---------------|
| Conf Training   | 5,060         |
| Mail Room       | 366           |
| Breakroom       | 1,154         |
| ADP/Telecom     | 7,980         |
| Security        | 3,962         |
| Media Rooms     | 762           |
| File Rooms      | 928           |
| Health Unit     | 1,204         |
| X-Ray Room      | 693           |
| Copy Room       | 432           |
| Operations Ctr  | 1,293         |
| Secure Comm Ctr | 232           |
| SCIF            | 3,374         |
| Supply Room     | 776           |
| Law Library     | 880           |
| Graphics Rooms  | 624           |
| <b>Total</b>    | <b>29,720</b> |

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

There was no objection.

## BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 18, 2014, she presented to the President of the United States, for his approval, the following bills:

H.R. 3370. To delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

H.R. 2650. To allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land

H.R. 4076. To address shortages and interruptions in the availability of propane and other home heating fuels in the United States, and for other purposes.

## ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 515, the House stands adjourned until noon on Monday, March 24, 2014, for morning-hour debate and 2 p.m. for legislative business.

Thereupon (at 10 o'clock and 4 minutes a.m.), under its previous order, the House adjourned until Monday, March 24, 2014, at noon for morning-hour debate.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5027. A letter from the Chief, Planning and Regulatory Affairs Office, OPS, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule — Professional Standards for State and Local School Nutrition Programs Personnel as Required by the Healthy, Hunger-Free Kids Act of 2010 [FNS-2011-0030] (RIN: 0584-AE19) received February 28, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5028. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Ninety-Day Waiting Period Limitation and Technical Amendments to Certain Health Coverage Requirements Under the Affordable Care Act (RIN: 1210-AB56) received February 25, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5029. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Basic Health Program: State Administration of Basic Health Programs; Eligibility and Enrollment in Standard Health Plans; Essential Health Benefits in Standard Health Plans; Performance Standards for Basic Health Programs Premium and Cost Sharing for Basic Health Programs; Federal Funding Process; Trust Fund and Financial Integrity [CMS-2380-F] (RIN: 0938-AR93) received March 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5030. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Patient Protection and Affordable Care Act; HHS Notice of Benefit and

Payment Parameters for 2015 [CMS-0938-F] (RIN: 0938-AR89) received March 11, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5031. A communication from the President of the United States, transmitting an Executive Order further expanding the scope of the national emergency declared in Executive Order 13660 of March 6, 2014, and expanded in Executive Order 13661 of March 14, 2014, with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the situation in Ukraine; (H. Doc. No. 113-99); to the Committee on Foreign Affairs and ordered to be printed.

5032. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-291, "Fiscal Year 2014 Budget Support Technical Clarification Amendment Act of 2014"; to the Committee on Oversight and Government Reform.

5033. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. Act 20-292, "Vending Regulations Temporary Amendment Act of 2014"; to the Committee on Oversight and Government Reform.

5034. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Anchorage Grounds and Safety Zone, Delaware River; Marcus Hook, PA [Docket Number: USCG-2013-1014] (RIN: 1625-AA00) received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5035. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations: Pacific Ocean at San Nicolas Island, Calif.; Restricted Anchorage Areas [Docket No.: USCG-2012-0967] (RIN: 1625-AA01) received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5036. A letter from the Acting Assistant Secretary, Employment and Training Administration, Department of Labor, transmitting the Department's final rule — Federal-State Unemployment Insurance (UI) Program; Data Exchange Standardization as Required by Section 2104 of the Middle Class Tax Relief and Job Creation Act of 2012 (RIN: 1205-AB64) received February 26, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 1869. A bill to establish biennial budgets for the United States Government; with amendments (Rept. 113-382, Pt. 1). Ordered to be printed.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 2413. A bill to prioritize and redirect NOAA resources to a focused program of investment on near-term, affordable, and attainable advances in observational, computing, and modeling capabilities to deliver substantial improvement in weather forecasting and prediction of high impact weather events, such as tornadoes and hurricanes, and for other purposes; with an amendment (Rept. 113-383). Referred to the Committee of the Whole House on the state of the Union.

### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Govern-

ment Reform discharged from further consideration. H.R. 1869 referred to the Committee of the Whole House on the state of the Union.

## TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 1869. Referral to the Committee on Rules extended for a period ending not later than September 12, 2014.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROYCE (for himself and Mr. ENGEL):

H.R. 4278. A bill to support the independence, sovereignty, and territorial integrity of Ukraine, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself, Mr. MCCAUL, Ms. JACKSON LEE, and Mr. CUELLAR):

H.R. 4279. A bill to amend the Homeland Security Act of 2002 to establish United States Immigration and Customs Enforcement, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Ms. LEE of California, Mr. RICHMOND, Mr. RANGEL, Mr. COHEN, Mr. HASTINGS of Florida, Ms. SLAUGHTER, and Ms. CHU):

H.R. 4280. A bill to preserve knowledge and promote education about jazz in the United States and abroad; to the Committee on House Administration, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUELSKAMP:

H.R. 4281. A bill to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans; to the Committee on Veterans' Affairs.

By Ms. CASTOR of Florida (for herself and Mr. HECK of Nevada):

H.R. 4282. A bill to amend the Public Health Service Act to authorize grants for graduate medical education partnerships in States with a low ratio of medical residents relative to the general population; to the Committee on Energy and Commerce.

By Mr. SIMPSON:

H.R. 4283. A bill to amend the Wild and Scenic Rivers Act to authorize the Secretary of the Interior to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes; to the Committee on Natural Resources.

# CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROYCE:

H.R. 4278.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the U.S. Constitution

By Mrs. MILLER of Michigan:

H.R. 4279.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

By Mr. CONYERS:

H.R. 4280.

Congress has the power to enact this legislation pursuant to the following:

Art. I, §8

By Mr. HUELSKAMP:

H.R. 4281.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8

By Ms. CASTOR of Florida:

H.R. 4282.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Mr. SIMPSON:

H.R. 4283.

Congress has the power to enact this legislation pursuant to the following:

“The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).”

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mr. BLACK.

H.R. 494: Mr. LANGEVIN.

H.R. 596: Mr. KILMER.

H.R. 721: Mr. POMPEO, Mr. CAPUANO, and Mr. SCHRADER.

H.R. 755: Mr. WEBSTER of Florida.

H.R. 1563: Mr. KING of New York and Ms. SLAUGHTER.

H.R. 1652: Mr. THOMPSON of California and Mr. DAVID SCOTT of Georgia.

H.R. 1893: Mr. O'ROURKE.

H.R. 2315: Mr. TIBERI.

H.R. 2477: Mr. DAVID SCOTT of Georgia.

H.R. 2499: Mr. MCGOVERN.

H.R. 2807: Mr. KELLY of Pennsylvania.

H.R. 2852: Mr. HORSFORD.

H.R. 3118: Mr. SMITH of Washington.

H.R. 3318: Mr. MAFFEI and Mr. GRIMM.

H.R. 3530: Mr. GUTIÉRREZ.

H.R. 3616: Ms. MATSUI, Mr. THOMPSON of California, Mr. BEN RAY LUJÁN of New Mexico, Mr. MATHESON, Ms. JACKSON LEE, Mr. GENE GREEN of Texas, Mr. LOWENTHAL, and Mr. WELCH.

H.R. 3658: Mr. PERRY, Mr. ROGERS of Alabama, Mr. LAMALFA, and Mr. THOMPSON of Pennsylvania.

H.R. 3663: Mr. BYRNE.

H.R. 3698: Ms. ESTY, Mr. THOMPSON of Pennsylvania, and Ms. KUSTER.

H.R. 3708: Mr. SESSIONS, Mr. DUFFY, and Mr. LOEBSACK.

H.R. 3732: Mr. WOODALL.

H.R. 3747: Mr. SCHNEIDER.

H.R. 3781: Ms. KUSTER.

H.R. 3877: Ms. MATSUI and Ms. LEE of California.

H.R. 3929: Mr. HORSFORD.

H.R. 4031: Mr. PERRY, Mr. STIVERS, and Mr. RUNYAN.

H.R. 4035: Mr. RYAN of Ohio and Mr. ELLISON.

H.R. 4075: Mr. ELLISON.

H.R. 4142: Mr. NUNNELEE.

H.R. 4143: Mrs. MILLER of Michigan.

H.R. 4227: Mr. GENE GREEN of Texas.

H.R. 4240: Mr. O'ROURKE.

H. Res. 72: Mr. MCGOVERN.

H. Res. 417: Mr. CRAMER.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 160

WASHINGTON, FRIDAY, MARCH 21, 2014

No. 45

## Senate

The Senate met at 9:00 and 2 seconds a.m., and was called to order by the Honorable ROBERT P. CASEY, Jr., a Senator from the Commonwealth of Pennsylvania.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 21, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROBERT P. CASEY, Jr., a Senator from the Commonwealth of Pennsylvania, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. CASEY thereupon assumed the Chair as Acting President pro tempore.

ADJOURNMENT UNTIL MONDAY,  
MARCH 24, 2014, AT 2 P.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 2 p.m. on Monday, March 24, 2014.

Thereupon, the Senate, at 9:00 and 33 seconds a.m., adjourned until Monday, March 24, 2014, at 2 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S1675

## EXTENSIONS OF REMARKS

IN SUPPORT OF H.R. 3189

**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 21, 2014*

Mr. TIPTON. Mr. Speaker, I would like to submit the following:

GRAND JUNCTION AREA  
CHAMBER OF COMMERCE,

*Grand Junction, CO, November 22, 2013.*

Hon. SCOTT TIPTON,  
*Cannon House Office Building, Washington, DC.*

Hon. JARED POLIS,  
*Longworth House Office Building, Washington, DC.*

DEAR HONORABLE REPRESENTATIVES TIPTON AND POLIS: As the voice of business on Colorado's western slope, representing over 900 businesses, we want to thank you for introducing H.R. 3189 as a way to ensure that water rights are continually protected in Colorado. It is absurd that the federal government requires ski resorts to relinquish their rights as a condition of granting permits, and this practice must be stopped.

The Grand Junction Chamber of Commerce offers legislative guidelines on water that include the following points: Water rights in Colorado and the West have been considered a vital asset and personal property for many years. Water is an essential component of the economic, social and environmental quality of life that we enjoy. The preservation and protection of private ownership and the right to use water, its conservation, and its wise use are necessary to preserve the public health, safety and welfare of the citizens of western Colorado and the entire state. Furthermore, industries in Colorado such as agriculture, small businesses, tourism, and natural resource development require steady reliable and high quality water supplies.

The passage of H.R. 3189 would ensure that tourism operations as well as other businesses' private property rights are protected when it comes to water. It will also help the regulatory uncertainty and remove the concern that if a ski area wants to grow or expand it will not lose its property. This helps create a sure business climate in Colorado. Thank you for sponsoring this bill. We urge the passage of H.R. 3189.

Sincerely,

MICHAEL BURKE,  
*Chairman of the Board.*

*Garfield County, CO January 13, 2014.*

Re Garfield County Board of County Commissioners' Letter of support for pending legislation H.R. 3189: Water Rights Protection Act

Hon. SCOTT TIPTON,  
*Cannon House Office Building, Washington, DC.*

DEAR REPRESENTATIVE TIPTON: The purpose of this letter is to provide you with unanimous support from Garfield County Board of County Commissioners (the Board) for H.R. 3189, "The Water Rights Protection Act." Many of the Counties in Colorado are largely comprised of federal lands. For example, 2/3rd of Garfield County (or approximately 2,000 sq. miles) is held and managed

by either the Bureau of Land Management (BLM) or the U.S. Forest Service (USFS). Many private businesses and industries in Garfield County including but not limited to ranching, agriculture, guiding and outfitting, and the ski industry (Ski Sunlight) to name a few, rely on the use of these federal lands to operate and thrive. Land management decisions made on these lands can have a significant socioeconomic impact on the County and, more importantly, to the private businesses and activities that have operated here even prior to statehood.

It is these businesses that make up key portions of the fabric of our local communities and are important contributors to our local economies. Moreover, they have lawfully obtained and privately paid for water rights necessary to the success of their operations. However, because of their use of federal lands for their operations, they also are also dependent on permit approvals from federal agencies to continue operate in Garfield County. Specific to pending H.R. 3189, the Board supports this legislation as it protects existing water rights obtained and held by these private businesses from an arbitrary and uncompensated taking by the federal government through the use of conditions on permits or any other regulatory mechanism. Moreover, it is unconscionable that the federal government shall attempt to hold these businesses hostage in order to 'take' their water rights without legal authority. To do so shall, no doubt, render private businesses as victims and casualties of government overreach and possible failure in the ability to control their future.

We are encouraged to see such wide bipartisan support for this legislation which clearly underscores its value and hopeful passage into law. It is rather unfortunate that it takes legislation such as this to reaffirm what are long standing existing rights, but the Board is pleased to see your efforts be put to such a good cause on behalf of citizens and businesses in Garfield County.

Please do not hesitate to contact us if you have any questions about the position of the Board outlined above.

Very truly yours,

JOHN MARTIN,  
*Chairman, Garfield  
County Board of  
County Commis-  
sioners.*

MIKE SAMSON,  
*Commissioner, Garfield  
County Board of  
County Commis-  
sioners.*

TOM JANKOVSKY,  
*Garfield County Board  
of County Commis-  
sioners.*

AMERICAN FARM BUREAU FEDERATION,  
*Washington, DC, October 4, 2013.*

Hon. SCOTT TIPTON,  
*Cannon House Office Building, Washington, DC.*

Hon. JARED POLIS,  
*Longworth House Office Building, Washington, DC.*

DEAR REPS. TIPTON AND POLIS: On behalf of more than 6 million Farm Bureau member families across the United States, I commend you for your introduction of H.R. 3189, the Water Rights Protection Act. The Amer-

ican Farm Bureau Federation endorses the Tipton-Polis bill, and will work closely with you to broaden bipartisan support for this measure and to gain its swift consideration and approval by the House of Representatives.

H.R. 3189 grants no new rights to any party, nor does it in any way infringe on existing rights of individuals, states or the federal government. This legislation simply reaffirms what has been existing law for generations and which is expressed in numerous places in federal law, including the Mining Act of 1866; the 1897 Organic Act establishing the U.S. Forest Service; the Taylor Grazing Act; and the Federal Land Policy and Management Act of 1976.

There is no provision in federal law authorizing or permitting the Forest Service or the Bureau of Land Management to compel owners of lawfully acquired water rights to surrender those rights or to acquire them in the name of the United States. Thus, H.R. 3189 does nothing more than assure holders of BLM or Forest Service permits that their lawfully acquired rights will not be abridged and that federal agencies may not unlawfully use the permit process to acquire rights they do not currently possess.

We look forward to working with you on this important legislation and again commend you for your leadership in this important area.

Sincerely,

BOB STALLMAN,  
*President.*

FAMILY FARM ALLIANCE,  
*Klamath Falls, Oregon, October 8, 2013.*  
Re Support for "Water Rights Protection Act" (H.R. 3189)

Hon. SCOTT TIPTON,  
*House of Representatives, Cannon House Office Building, Washington, DC.*

DEAR CONGRESSMAN TIPTON: On behalf of the Family Farm Alliance, this letter expresses our formal support for your "Water Rights Protection Act" (H.R. 3189). This important legislation would prohibit the conditioning of any federal permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture.

The Alliance is a grassroots organization of family farmers, ranchers, irrigation districts and allied industries in 16 Western states. The Alliance is focused on one mission: To ensure the availability of reliable, affordable irrigation water supplies to Western farmers and ranchers. The Alliance has long advocated that solutions to conflicts over the allocation and use of water resources must begin with recognition of the traditional deference to state water allocation systems. Federal agencies must recognize and respect state-based water rights and develop their management decisions according to state law and abide by state decrees defining both federal and non-federal rights. Federal agencies need to work within the framework of existing prior appropriation systems instead of attempting to fashion solutions which circumvent current water rights allocation and administration schemes.

Unfortunately, in recent years, some agencies within the federal government have repeatedly demonstrated they will not abide by this philosophy. These efforts constitute

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



a federal overreach and a violation of private property rights.

For example, the U.S. Forest Service (USFS) has attempted to implement a permit condition that requires the transfer of privately held water rights to the federal government as a permit condition on National Forest System lands. There is no compensation for the transfer of these privately held rights despite the fact that many stakeholders have invested their own capital in developing the rights. Additionally, federal land management agencies are leveraging Western water users in an effort to acquire additional water supplies for the federal government by requiring water users to apply for their rights under state law in the name of the United States rather than for themselves. USFS continues to take private water rights hostage through their permit conditions, despite objections from elected officials, business owners, private property advocates and a U.S. District Court ruling.

Our farmers and ranchers rely on their vested water rights to secure operating loans, as well as irrigate crops and water livestock. Federal agencies should not be able to leverage those water rights against farming and ranching families who have long depended upon federal permits and leases to support actions like grazing.

The Water Rights Protection Act would protect communities, businesses, recreation opportunities, farmers and ranchers as well as other individuals that rely on privately held water rights for their livelihood from federal takings. It would do so by prohibiting federal agencies from extorting water rights through the use of permits, leases, and other land management arrangements, for which it would otherwise have to pay just compensation under the 5th Amendment of the Constitution. The Water Rights Protection Act protects privately held water rights, prohibits federal takings, and upholds state water law by:

Prohibiting agencies from implementing a permit condition that requires the transfer of privately held water rights to the federal government in order to receive or renew a permit for the use of land;

Prohibiting the Secretary of the Interior and the Secretary of Agriculture from requiring water users to acquire rights for the United States rather than for the water user themselves;

Upholds longstanding federal deference to state water law;

Has no cost to the American taxpayer.

Some Family Farm Alliance members in Arizona and Colorado have expressed some concerns with language contained in the original bill. We understand that they are working with you and Rep. Gosar to modify the language so that changes can be easily made by the Water and Power Subcommittee. We support H.R. 3189 with those changes.

Thank you for this opportunity to provide support for your bill, which is very important to the family farmers and ranchers of our membership. If you have any questions about this letter, I encourage you or your staff to contact me at (541)-892-6244.

Sincerely,

DAN KEPPEN,  
Executive Director.

DURANGO MOUNTAIN RESORT,  
Durango, CO, October 15, 2013.

Re Letter of Support for Water Rights Protection Act (H.R. 3189)

Congressman SCOTT TIPTON,  
House of Representatives,  
Durango, CO.

Congressman JARED POLIS,  
House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CONGRESSMAN TIPTON AND CONGRESSMAN POLIS: Please consider this letter as Durango Mountain Resort's formal expression of support for the Water Rights Protection Act (H.R. 3189). We applaud you for sponsoring this legislation to prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture. We also hope you will consider our suggested amendment language to prohibit the Secretaries from denying access to or use of a water right.

Durango Mountain Resort (DMR) provides its local community with significant jobs and recreational opportunities that support the economy of Southwestern Colorado. And DMR has consistently shown excellent stewardship of the environment, taking careful measures to eliminate negative impact on its land and resources. In fact, the resort received an "A" grade on its SACC Environmental Report Card this year. The resort is proud of its grading and continuously strives to exceed environmental standards.

Durango Mountain Resort, like many resorts in the southwest region, relies heavily on access to its water supplies for healthy operation of the resort. This is especially true during periods of drought which have plagued southwestern Colorado for several years now. DMR has proven resourceful in its ability to come up with alternative methodologies to produce snow during these dry winter years. Unfortunately, due to recent restrictions imposed by the U.S. Forest Service (USFS), the resort is no longer able to count on water from the Cascade Aqueduct for its snowmaking water. The USFS essentially shut down one of DMR's major water sources by imposing an in-stream flow requirement that reduced DMR's water supply by 95% of its historical amount. When DMR then submitted an application to access and develop its prior water rights in Hermosa Park, the USFS refused to process DMR's application, denying DMR's rights that were reserved through a prior USFS land exchange agreement with the USFS. DMR believes these actions by the USFS are a blatant attempt by the federal government to extort water rights through the violation of existing water appropriation agreements and systems.

DMR has offered countless remedies to the USFS to circumvent the dire consequences these restrictions have imposed. Each time the USFS has shown it is not willing to consider alternative solutions even though it was made clear that their actions could easily put the resort out of business and unilaterally eliminate the jobs and recreational offerings it provides to the community.

The Water Rights Protection Act would protect communities, businesses, recreational attractions, farmers and ranchers, as well as other individuals that rely on privately held water rights for their livelihood, from federal takings. It would do so by prohibiting federal agencies from extorting water rights through the use of permits, leases, and other land management arrangements, for which it would otherwise have to pay just compensation under the 5th Amendment of the Constitution. The Water Rights Protection Act protects privately held water

rights, prohibits federal takings, and upholds state water law by:

Prohibiting agencies from implementing a permit condition that requires the transfer of privately held water rights to the federal government in order to receive or renew a permit for the use of land;

Prohibiting the Secretary of the Interior and the Secretary of Agriculture from requiring water users to acquire rights for the United States rather than for the water user themselves;

Prohibiting the Secretaries from denying access to or use of a water right;

Upholding longstanding federal deference to state water law, and it has no cost to the American taxpayer.

Thank you for the opportunity to provide support for the Water Rights Protection Act (H.R. 3189). This legislation is very important to Durango Mountain Resort, its employees, business partners, guests, and surrounding communities. If you have any questions about this letter, please contact me at 970-426-7242.

Sincerely,

GARY S. DERCK,  
President and CEO.

COLORADO SKI COUNTRY USA,  
October 4, 2013.

Hon. DOC HASTINGS,  
Chairman, House Natural Resources Committee,  
Longworth House Office Building Washington, DC.

DEAR CHAIRMAN: I am writing on behalf of Colorado Ski Country USA (CSCUSA), the industry association and global voice of skiing and snowboarding in Colorado, in support of H.R. 3189, the Water Rights Protection Act. CSCUSA represents twenty ski areas in Colorado that operate on National Forest System lands under a special use permit from the U.S. Forest Service. These public land resorts hosted over 6.3 million skier visits in Colorado in the 2012/13 ski season alone, and skiing and snowboarding constitute a \$3.0 billion annual economic impact to our state.

CSCUSA supports H.R. 3189 because it would prohibit the U.S. Forest Service from requiring our resorts to transfer valuable water rights to the Forest Service as a condition of receiving a permit, or to apply for water rights in the name of the United States, without compensation.

While the Forest Service insists that such actions would be intended only to maintain the long-run viability of the resorts as ski and snowboard areas, requiring resorts to transfer the water rights they need to operate so as to prevent their sale to a third party is a solution in search of a problem. Moreover, required transfers of water rights that are critical to ski area operations would politicize their use, with each change in administration changing priorities for water use.

Furthermore, requiring transfer of valuable water rights to the NFS as a condition of receiving a permit raises serious Fifth Amendment concerns. Our member resorts' water rights were acquired and developed at great expense pursuant to Colorado law, and in some cases predate the Forest Service itself. If the NFS wants to secure its own water rights, it should buy them on Colorado's well-regulated water market like everyone else.

Thank you for scheduling a hearing on H.R. 3189 and for your leadership on this issue. It means a great deal to CSCUSA and our member ski resorts operating across Colorado on NFS lands.

Best Regards,

MELANIE MILLS,  
President and CEO.

HONORING THE ST. JOHN BOSCO  
HIGH SCHOOL FOOTBALL TEAM

**HON. LINDA T. SÁNCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 21, 2014*

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, today I rise to congratulate the St. John Bosco High School varsity football team on their numerous accomplishments during their 2013–2014 football season. The St. John Bosco Braves are an outstanding football team from Bellflower, CA. The Braves were named the 2013 California Interscholastic Federation (CIF) Pac5 Division Champions, CIF Southern Regional Champions, CIF State Champions, and National Champions by Max Preps.

The historic season for the St. John Bosco Braves began with the school's second ever CIF Finals appearance against their longtime rival, Mater Dei High School. After an uncharacteristically slow first half, the Braves came out firing in the second half and ended up beating the Mater Dei Monarchs 34–7, thus crowning the Braves CIF Pac–5 champions, the first football title in the school's seventy-three (73) year history. A week later, St. John Bosco routed the Corona Centennial Huskies 70–49, thus giving the Braves yet another award to add to the season, CIF Southern Regional Champions. The next and last game on the schedule had the entire Bosco community on edge as it was not only the State Championship game, but that it was against the De La Salle High School Spartans who headed into the State Championship game with a 40 game winning streak. After four grueling quarters of football, the Braves came out on top 20–14, ending the Spartans' winning streak and crowning the Braves 2013 CIF State Champions; the first in school history.

The St. John Bosco Braves finished their season 16–0, which propelled them to the top of the national football rankings along with Allen High School from Allen, Texas and Washington High School out of Miami, Florida. On January 27th, the ninth annual MaxPreps Football Tour of Champions arrived in Bellflower, CA to award the Braves with the National Championship trophy. This award came with the nation's number one ranking out of 15,000 schools and is a feat never accomplished by any sport in the school's history.

Due to such a successful season, Head Coach Jason Negro was awarded various accolades, including the MaxPreps High School National Coach of the Year award, the Press-Telegram Dream Team Coach of the Year, the American Football Monthly Magazine National Coach of the Year, and CIF Southern Section Pac–5 Coach of the Year. In addition, earlier in the year Coach Negro was selected to coach the West Team at the 2013 U.S. Army All-American Game and was awarded the Xenith/Bill Yoast National Coach of the Year presented by the Army All-American Bowl.

As a result of the hard work and dedication displayed by the Braves in the 2013–2014 football season, made evident by their list of accomplishments, it was no surprise that several varsity football players received full rides to study and compete at the college level. On February 5th, 2014, the following players committed and signed their National Letters of Intent to their respective universities: Brett Bald-

win (Air Force Academy), Malik Dorton (University of Southern California), Shay Fields (University of Colorado), Naijeli Hale (University of Washington), Chandler Hawkins (Naval Academy), Chandler Leniu (University of California, Berkeley), Damien Mama (University of Southern California), Jacob Tuioti-Mariner (University of California, Los Angeles), and Jaleel Wadood (University of California, Los Angeles).

I once again would like to recognize and congratulate the St. John Bosco Braves and Coach Negro on their historic season and numerous accomplishments. I wish all of the players continued success as they pursue their goals in athletics, academics, and their careers.

IN SUPPORT OF H.R. 3189

**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 21, 2014*

Mr. TIPTON. Mr. Speaker, I would like to submit the following:

MONTEZUMA VALLEY IRRIGATION  
COMPANY,  
*Cortez, CO 81321*

TO WHOM IT MAY CONCERN: At their regularly scheduled meeting on October 8, 2013, the Board of Directors of Montezuma Valley Irrigation Company voted unanimously to support the proposed House Resolution 3189 introduced by Representative Scott Tipton and others.

We believe that this Bill is critical to protect water rights held by citizens and entities such as ours from usurpation by Federal agencies. In doing so, it preserves the water rights long held by, and essential to the survival of, agribusinesses, recreational businesses, municipalities, and individuals throughout our state and all states that receive water from rivers and streams originating in the state of Colorado.

Regards,

GERALD KOPPENHAFFER,  
*MVIC Board President.*

MONTEZUMA COUNTY,  
*October 15, 2013.*

Congressman SCOTT TIPTON,  
*House of Representatives,  
Third District, Durango, CO.*

DEAR REPRESENTATIVE TIPTON: The Montezuma County Board of County Commissioners would like to strongly express our formal support for the proposed House H.R. 3189, the Water Rights Protection Act.

The USFS and BLM are notorious for attempting to subjugate private property rights through coercion and deception. Recently the USFS has attempted to coerce water users to apply for water rights in the name of the United States rather than the name of the purchaser as a condition to be permitted to operate on federal lands.

This action is unethical, constitutes a federal taking of private property without just compensation, and is a violation of the Takings Clause of the Fifth Amendment of the United States Constitution. Moreover this is a blatant attempt to subvert longstanding state water laws in the western United States which under the United States Constitution belongs under state authority.

These actions have already had a negative effect on ski areas which are critical to western states economies. Since many of the municipalities and agricultural operations rely upon similar storage facilities they are

equally at risk since most of the absolute and conditional water rights in the arid west originate on high altitude federal lands where annual precipitation accumulates as snow fall.

The Water Rights Protection Act, House H.R. 3189, will protect our western communities, family farms, small business, energy development and other economic activities that rely upon privately held water rights for our livelihood and way of life.

This Bill will assist in establishing clear boundaries for federal jurisdiction and help prevent federal overreaches.

The Montezuma County Board of County Commissioners

STEVE D. CHAPPELL,  
KEENAN G. ERTEL,  
LARRY DON SUCKLA.

MESA COUNTY,

*Grand Junction, CO, December 19, 2013.*

Re House Resolution 3189—Water Rights Protection Act of 2013

Hon. MARK UDALL,  
*U.S. Senate,  
Grand Junction, CO.*

DEAR SENATOR UDALL: As you know, Representative Tipton has authored House Resolution 3189, The Water Rights Protection Act of 2013. H.R. 3189 protects privately held water rights, prohibits federal taking of water rights and upholds state water law.

It is within your power to circumvent these future problems through legislative intervention. The bill would prohibit agencies from implementing a permit condition that requires the transfer of privately held water rights to the federal government in order to receive or renew a permit for the use of land. In addition the bill prohibits the Secretary of the Interior and the Secretary of Agriculture from requiring water users to acquire rights for the United States rather than for the water user themselves. This bill upholds longstanding federal deference to state water law and has no cost to the American taxpayer.

On behalf of the 150,000 constituents of Mesa County, the Board of Commissioners asks for you to support this legislation, not simply through non-binding administrative action but rather by making this action law. The Commissioners fear that without supporting this bill to law, any temporary administrative "patch" will lead to future crisis of water rights in Mesa County.

Thank you.

Sincerely,  
Board of County Commissioners.

STEVE ACQUAFRESCA,  
*Chair,*  
ROSE PUGLIESE,  
*Commissioner,*  
JOHN JUSTMAN,  
*Commissioner.*

MESA COUNTY BOARD  
OF COUNTY COMMISSIONERS,

*Grand Junction, CO, December 19, 2013.*

Re House Resolution 3189—Water Rights Protection Act of 2013

Hon. MICHAEL BENNET,  
*U.S. Senate,  
Grand Junction, CO.*

DEAR SENATOR BENNET: As you know, Representative Tipton has authored House Resolution 3189, The Water Rights Protection Act of 2013. HR 3189 protects privately held water rights, prohibits federal taking of water rights and upholds state water law.

It is within your power to circumvent these future problems through legislative intervention. The bill would prohibit agencies from implementing a permit condition that requires the transfer of privately held water rights to the federal government in

order to receive or renew a permit for the use of land. In addition the bill prohibits the Secretary of the Interior and the Secretary of Agriculture from requiring water users to acquire rights for the United States rather than for the water user themselves. This bill upholds longstanding federal deference to state water law and has no cost to the American taxpayer.

On behalf of the 150,000 constituents of Mesa County, the Board of Commissioners asks for you to support this legislation, not simply through non-binding administrative action but rather by making this action law. The Commissioners fear that without supporting this bill to law, any temporary administrative "patch" will lead to future crisis of water rights in Mesa County.

Thank you.

Sincerely,

STEVE ACQUAFRESCA,  
*Chair,*  
ROSE PUGLIESE,  
*Commissioner,*  
JOHN JUSTMAN,  
*Commissioner.*

MESA COUNTY, COUNTY  
COMMISSIONER, DISTRICT 2,

*Grand Junction, CO, October 10, 2013.*

Re H.R. 3189

Hon. SCOTT TIPTON,  
*Washington, DC.*

DEAR CONGRESSMAN TIPTON: I sincerely appreciate your leadership in Colorado and Western water matters. H.R. 3189 exemplifies that leadership. I lend my full support to H.R. 3189 with the consensus amendments developed by your staff, the national ski areas and the Colorado River Water Conservation District.

With the clarifying amendments, H.R. 3189 provides responsible side boards to agency actions when permitting allowable activities and uses on federal lands. It prohibits the transfer of ownership of privately held water rights in exchange for required permits. I am also pleased that your staff will prepare a sponsor's statement to confirm that the bill will not change existing law that allows reasonable permit conditions that can protect both the natural environment and present and future downstream water users dependent on the public lands for critical water supplies.

I want to express my genuine appreciation for you and your staff's willingness to develop legislation that accomplishes our mutual goals of protecting private property interests in western water while maintaining the authority to condition permits to ensure responsible exercise of those rights.

Sincerely,

STEVEN ACQUAFRESCA,  
*Chairman, Board of Commissioners.*

CHAMBER OF COMMERCE OF THE  
UNITED STATES OF AMERICA,  
*Washington, DC, March 10, 2014.*

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, strongly supports H.R. 3189, the "Water Rights Protection Act." This bipartisan bill would protect water supplies and property rights from federal agency overreach by ensuring that the federal government cannot condition its approval of permits, leases, and other use agreements on the restriction or loss of applicable state water rights.

While eastern states typically apply riparian law to water rights questions, western states generally use the prior appropriation doctrine, which is "first in time, first in right." State laws protecting waters for multiple uses in western states have been in existence for over a century. Water rights are obtained by diverting water for "beneficial use," which can include domestic use, irrigation, manufacturing, mining, hydropower, municipal use, agriculture, and others depending on state law.

Recent federal actions have threatened this longstanding federal-state water rights relationship. Agencies increasingly require unnecessary and restrictive use conditions that must be met before land owners can receive or renew a permit. H.R. 3189 would prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture.

H.R. 3189 would protect water uses while ensuring that state water laws are upheld by prohibiting federal agencies from imposing permit conditions that requires privately held water rights to be transferred to the federal government in exchange for a new or renewed permit to operate on federal land.

This bill would ensure that the longstanding federal-state water relationship is maintained and not compromised by the placement of unreasonable permit conditions. The Chamber strongly supports H.R. 3189.

Sincerely,

R. BRUCE JOSTEN,  
*Executive vice president,*  
*Government Affairs.*

GUNNISON COUNTY, CO,  
*October 22, 2013.*

Hon. SCOTT TIPTON,  
*Washington, DC.*

Hon. JARED POLIS,  
*Washington, DC.*

HONORABLE REPRESENTATIVES: The Board of County Commissioners of Gunnison County, Colorado commend you for sponsoring "The Water Rights Protection Act." The Board will work closely with you to broaden bipartisan support for this measure and to gain its consideration and approval.

The Water Rights Protection Act would protect privately held water rights, prohibits federal takings, and upholds state water law by:

Prohibiting agencies from implementing a permit condition that requires the transfer of privately held water rights to the federal government in order to receive or renew a permit for the use of land;

Prohibiting the Secretary of the Interior and the Secretary of Agriculture from requiring water users to acquire water rights for the United States rather than for the water user themselves;

Upholds longstanding federal deference to state water law;

Has no cost to the American taxpayer.

Note: We are informed that you are diligently working to address the concern that the bill, as introduced, would not provide for the opportunity to condition relevant federal permits regarding transbasin diversion of water to require appropriate "by-pass" flows. We support this clarification and this issue can be addressed—perhaps through a combination of additional language, a well crafted "legislative history", and a "savings clause."

In the main, H.R. 3189 grants no new rights to any party, nor does it in any way infringe on existing rights of individuals, states or the federal government. This legislation sim-

ply reaffirms what has been existing law for generations and which is expressed in numerous places in federal law, including the Mining Act of 1872; the 1897 Organic Act establishing the U.S. Forest Service; the Taylor Grazing Act; and the Federal Land Policy and Management Act of 1976.

There is no provision in federal law authorizing or permitting the Forest Service or the Bureau of Land Management to compel owners of lawfully acquired water rights to surrender those rights or to acquire them in the name of the United States. Thus, H.R. 3189 does nothing more than assure holders of BLM or Forest Service permits that their lawfully acquired rights will not be abridged and that federal agencies may not unlawfully use the permit process to acquire rights they do not currently possess.

We look forward to working with you on this important legislation and again commend you for your leadership in this important area.

Sincerely,

The Board of County Commissioners of the  
County of Gunnison, Colorado.

PAULA SWENSON,  
*Chairperson.*  
PHIL CHAMBERLAND,  
*Vice-Chairperson.*  
JONATHAN HOUCK,  
*Commissioner.*

IN SUPPORT OF H.R. 3189

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 21, 2014*

Mr. TIPTON. Mr. Speaker, I would like to submit the following:

RIO GRANDE COUNTY,  
BOARD OF COUNTY COMMISSIONERS,  
*Del Norte, Colorado, October 16, 2013.*

Re Support of the Water Rights Protection  
Act H.R. 3189

Hon. SCOTT TIPTON,  
*Cannon House Office Building, Washington, DC.*

Hon. JARED POLIS,  
*Longworth House Office Building, Washington, DC.*

DEAR REPS. TIPTON AND POLIS: The Board of County Commissioners of Rio Grande County supports your efforts through H.R. 3189 to protect the privately owned water rights within the State of Colorado.

The control of water within the State of Colorado and any other state in this nation has been controlled and regulated by the State. The Constitution of the United States does not allow the federal government to regulate private water rights.

There is no provision in federal law authorizing or permitting the Forest Services or the Bureau of Land Management to compel owners of lawfully acquired water rights to surrender those rights or to acquire them in the name of the United States. Thus, H.R. 3189 does nothing more than assure holders of BLM or Forest Service permits that their lawfully acquired rights will not be abridged and that federal agencies may not unlawfully use the permit process to acquire rights they do not currently possess.

We thank you for your attention to this crucial issue, and for supporting our rural communities and our public lands.

Sincerely,

KARLA L. SHRIVER,  
*Chair, Board of County Commissioners.*

RIO BLANCO COUNTY,  
BOARD OF COUNTY COMMISSIONERS,  
*Meeker, Colorado, January 10, 2014.*  
Re Rio Blanco County Support for the Water  
Rights Protection Act  
Rep. SCOTT TIPTON,  
*Cannon House Office Building, Washington,  
DC.*

DEAR REPRESENTATIVE TIPTON, The Board of County Commissioners of Rio Blanco County is very concerned with recent actions on the part of federal agencies that attempt to circumvent state law in order to acquire private water rights. Even more disconcerting is the coercive manner in which these attempts have been made.

As of now, the components of local economies targeted by the Forest Service and Bureau of Land Management are the ski area industry and ranching. There are also many other essential contributors to our economies that rely on water to exist, and we must be certain that none fall prey. Federal efforts to rearrange the legal structure by which water rights are held threaten Colorado jobs and the economic health of rural communities.

Rio Blanco County applauds you and your colleagues in this effort, and fully supports the Water Rights Protection Act.

Board of County Commissioners, Rio Blanco County

SHAWN BOLTON,  
*Chairman.*

NATIONAL CATTLEMEN'S BEEF  
ASSOCIATION,  
*October 3, 2013.*

Re Support of the Water Rights Protection  
Act H.R. 3189

Hon. DOC HASTINGS,  
*Chairman, Longworth House Office Building,  
Washington, DC.*

Hon. PETER DEFAZIO,  
*Ranking Member, 2134 Rayburn House Office  
Building, Washington, DC.*

DEAR CHAIRMAN HASTINGS AND RANKING MEMBER DEFAZIO: The Public Lands Council (PLC) and the National Cattlemen's Beef Association (NCBA) strongly support the Water Rights Protection Act (WRPA), (H.R. 3189). PLC is the only national organization dedicated solely to representing the roughly 22,000 ranchers who operate on federal lands, some of which are U.S. Forest Service (USFS) lands. NCBA is the beef industry's largest and oldest national marketing and trade association, representing American cattlemen and women who provide much of the nation's supply of food and own or manage a large portion of America's private property. Many of our members also hold private water rights on federal lands, which serve as an integral part of their operations; thus, these water rights keep our members in business and rural communities thriving. However, landowners face an unprecedented threat to the future of their water rights on lands managed by the USFS.

The USFS has been notorious for violating private property rights, as they have recently attempted to require the transfer of privately owned water rights to the federal government. The USFS has not provided adequate compensation as required by Article V of the Constitution; instead, they have attempted to acquire these rights in exchange for special use permits, likely in violation of a recent Supreme Court ruling in *Koontz*. Furthermore, the USFS has repeatedly ignored established state water laws in order to perform these takes, which amounts to a vast overreach by the federal government.

H.R. 3189, introduced by Congressmen: Scott Tipton (R-Colo.), Mark Amodei (R-Nev.), Rob Bishop (R-Utah), Tom McClintock (R-Calif.), and Jared Polis (D-Colo.) comes as

a means to combat the recent directive that allows the USFS to execute the seizure of these water rights without just compensation. The language in the directive is applicable to ski areas specifically; however, this issue is a threat to all water users, including ranchers, as they depend on these rights to keep their business viable.

This legislation would prohibit the Secretary of the Interior and the Secretary of Agriculture from, requiring the transfer of water rights without adequate compensation. Additionally, the bill supports long-established state water laws, clarifying that the federal government does not have jurisdiction.

We strongly encourage the Natural Resource Committee to support this important legislation. We thank you for your attention to this crucial issue, and for supporting our members as they continue to be an essential part of rural communities and stewards of our public lands.

Sincerely,

SCOTT GEORGE,  
*NCBA President.*  
BRICE LEE,  
*PLC President.*

PNSAA,  
*La Conner, WA, September 26, 2013.*  
Re H.R. 3189/Water Rights Protection Act

Hon. DOC HASTINGS,  
*Chairman, House Natural Resources Committee,  
Longworth House Office Building, Washington,  
DC.*

DEAR CHAIRMAN: I am writing on behalf of ski areas in the Pacific Northwest operating on National Forest System lands. PNSAA represents 34 ski resorts in Washington, Oregon, Alaska, Idaho, Montana and California. Of the 34 members 30 operate on public land.

PNSAA supports H.R. 3189/Water Rights Protection Act that would prohibit the Forest Service from issuing permit clauses that require ski areas to transfer ownership of valuable water rights to the United States without compensation. Water is crucial to ski area operations. Ski areas collectively hold water rights worth over a hundred million dollars. We developed these rights through our own effort and expense, and we have no intention of surrendering ownership of these water rights to the U.S. without compensation.

We would like to thank you for your leadership on protecting ski area water rights. It means a great deal to PNSAA and all ski areas across the country operating on NFS lands.

Best Regards,

JOHN A. GIFFORD,  
*President.*

NSAA,  
*October 4, 2013.*

Re Support for H.R. 3189

Hon. DOC HASTINGS,  
*Chairman, House Natural Resources Committee,  
1324 Longworth House Office Building, Wash-  
ington, DC.*

DEAR CHAIRMAN: I am writing on behalf of the National Ski Areas Association (NSAA) in support of H.R. 3189, the Water Rights Protection Act. NSAA represents 121 ski areas in the U.S. that operate on National Forest System lands under a special use permit from the U.S. Forest Service. These public land resorts accommodate the majority of skier visits in the U.S. and are located in the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Hampshire, New Mexico, Oregon, Utah, Vermont, Washington and Wyoming. The ski industry generates \$12.2 billion in economic activity annually and is a major employer in rural economies. NSAA would like to thank the

lead sponsors of this bill, Representatives Tipton, Polis, Amodei and McClintock, for their leadership on this critical issue for ski areas.

NSAA supports H.R. 3189 because it would prohibit the Forest Service from issuing permit clauses that require ski areas to transfer ownership of valuable water rights to the United States, or apply for water rights in the name of the United States, without compensation. Water is crucial to ski area operations. Ski areas collectively hold water rights worth over a hundred million dollars. We developed these rights through our own effort and expense, and we have no intention of surrendering ownership of these water rights to the U.S. without compensation.

This bill would prevent the federal government from making an end run around state law by merely taking water rights that it does not own through its permitting authority. It would not only protect ski area water rights—it would protect any water rights owners that operate on federal land.

In closing, we would like to thank you for scheduling a hearing on H.R. 3189 and for your leadership on this issue. It means a great deal to NSAA and all ski areas across the country operating on NFS lands.

Best Regards,

MICHAEL BERRY,  
*President.*

NSAA,  
*November 14, 2013.*

Re Support for H.R. 3189

Chairman MCCLINTOCK,  
*Water and Power Subcommittee,*  
Congressman SCOTT TIPTON.

GENTLEMEN: I am writing from the National Ski Areas Association (NSAA) and our ski area members to express the importance of H.R. 3189 to the ski industry. As you know, NSAA represents 90 percent of the ski industry nationally, including 121 member ski areas that operate on National Forest System lands under a special use permit from the U.S. Forest Service. These 121 public land resorts accommodate the majority of skier visits in the U.S. and span 13 states. All 121 of NSAA's public land ski area members strongly support H.R. 3189.

The agency's announcement yesterday of a change in its water policy was well received by the ski industry. We were pleased to see this significant change in Forest Service policy and applaud the agency's leadership on this important issue for ski areas. Ski areas have invested a great deal in water rights, and we rely on these water rights to bring our guests an alpine recreation experience unmatched anywhere in the world. This decision will benefit the millions of people who visit ski areas on the National Forests, and it will also benefit the rural communities in which resorts are located.

Despite this announced change in policy, we still need Congress to pass the Water Rights Protection Act. The policy change announced by the agency this week is the fourth change in Forest Service water policy for ski areas in ten years. These changes are disruptive, create uncertainty and adversely impact our operations, planning and future growth. The ski industry can't afford to be subjected to a different water policy with each Administration. Only federal legislation can give us the long term protection we need of an outright statutory prohibition on the taking of our water rights by the federal government.

H.R. 3189 is complementary to the agency's efforts to develop a new policy. The new policy assumes that ski area water will no longer be taken by the U.S. government, but instead can be sold to a successive owner at fair market value. H.R. 3189 would not interfere with the implementation of this new

policy, as it prohibits forced transfers of water rights "directly to the United States." The Water Rights Protection Act is essential because it would codify the assumption that water will no longer be taken by the federal government without compensation, and thus provides a permanent foundation for Forest Service water policy going forward.

We urge the Committee to move forward with the mark up and passage of H.R. 3189. We look forward to continued dialogue with all stakeholders as the agency develops a new policy to address water resources for the future.

Best Regards,

MICHAEL BERRY,  
*President.*

NATIONAL ASSOCIATION  
OF CONSERVATION DISTRICTS,  
*October 21, 2013.*

Re The Water Rights Protection Act—H.R. 3189

Chairman HASTINGS and Ranking Member DEFAZIO,  
*Committee on Natural Resources, U.S. House of Representatives, Longworth House Office Building, Washington, DC.*

Chairman MCCLINTOCK and Ranking Member NAPOLITANO,  
*Subcommittee on Water and Power, U.S. House of Representatives, Longworth House Office Building, Washington, DC.*

DEAR CHAIRMAN HASTINGS, RANKING MEMBER DEFAZIO, CHAIRMAN MCCLINTOCK AND RANKING MEMBER NAPOLITANO: The National Association of Conservation Districts (NACD) supports the bipartisan H.R. 3189, the Water Rights Protection Act. NACD represents America's 3,000 locally led conservation districts working with millions of co-operating landowners and operators to help them manage and protect land and water resources on private and public lands in the United States. Established under state law, conservation districts share a single mission: to work cooperatively with federal, state and other local resource management agencies and private sector interests to provide technical, financial, and other assistance to help landowners and operators apply conservation to the landscape.

NACD understands that water is a vital natural resource that needs to be protected. This bill would prevent federal agencies from requiring public-lands users to turn over water rights as a condition of issuing or renewing permits. Not only is compelling individuals to relinquish water rights for permits unfair to those who have paid to use their water permits, the required waiver of water rights to the federal government overlooks state laws concerning water rights transfer and ownership as well as Constitutional takings issues.

Stakeholders ranging from individual ranchers and farmers to municipalities rely on private water rights to provide drinking water, provide agricultural water, run their operations, and secure loans. The loss of these water rights would take away their ability to address local water concerns and plan ahead to meet their specific long-term water needs. H.R. 3189 would secure water rights for those that have paid for them and provide stakeholders the stability they need to appropriately plan for and manage natural resources at the local level.

Thank you for your consideration of these important water resource issues as they pertain to H.R. 3189.

Sincerely,

EARL J. GARBER.

MONTROSE COUNTY COLORADO,  
BOARD OF COUNTY COMMISSIONERS,  
*Montrose, CO, October 10, 2013.*

Congressman SCOTT TIPTON,  
*N. 5th St., Suite 702,  
Grand Junction, CO.*

DEAR MR. TIPTON: On behalf of the people of Montrose County, Colorado, we are hereby expressing our earnest support for H.R. 3189 aka the "Water Rights Protection Act". This is a timely and necessary piece of legislation.

Water is an essential property right for business operators ranging from agriculture to ski areas. No operator or property owner should be coerced into surrendering a privately held water right. The opportunity for beneficial use of public lands is a separate right. Federal agencies are charged only with administering permitting and other processes related to public lands. These agencies should have no authority to use these processes as a mechanism to strip rights from lawful water users.

It is noteworthy that even in the midst of the ongoing government shutdown, this bill is coming forward with bipartisan support. This underscores the importance and common sense of H.R. 3189. This bill represents no cost to the public and provides needed protection of lawfully held water rights.

We urge Congress to pass H.R. 3189 and we are happy to provide further support for this effort as necessary.

Sincerely,

RON HENDERSON,  
*Chairman.*  
DAVID WHITE,  
*Vice-Chairman.*  
GARY ELLIS,  
*Commissioner.*

IN HONOR OF MARALIN MANNING  
OF QUINCY, MASSACHUSETTS

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 21, 2014*

Mr. LYNCH. Mr. Speaker, I rise today in honor of Maralin Manning of Quincy, Massachusetts, in recognition of her decades of dedicated service to her community.

The daughter of the late Gertrude Mandros and the late Theodore Mandros, Maralin is a graduate of St. Mary's, Notre Dame High School and holds a Bachelor of Fine Arts Degree from the Massachusetts College of Art. Maralin is also a graduate of the Executive Training Program at Jordan Marsh, Co.

Mr. Speaker, as a longtime resident of Quincy, Maralin Manning has been involved with countless business associations and community organizations. She was the director of the Quincy Business Association for twenty-two years before it merged with the Quincy Chamber of Commerce serving as the Chamber's business development director. Maralin has actively served a number of community organizations including the Board of Directors for the Maria Droste Services, Quincy After School Program, Kiwanis Club of Quincy, Quincy Salvation Army, Impact Quincy, and the Advisory Board of the Quincy High School Career and Technical Training.

Continuing with her commitment to the Quincy community, Maralin has also served with the American Red Cross, Quincy Historic Commission, Quincy Downtown Development Citizens Advisory, Quincy Medical Center Curry Cancer Walk and the Mayor's Boy

Scout Breakfast, and is a past trustee of the Quincy Historical Society and former board member of the Souther Tide Mill and the USS Salem.

Previously, Maralin was an adjunct instructor at Mount Ida College, served as the director of the Chamberlain School of Retailing and fashion director for Jordan Marsh, Co. She is also an independent lecturer in fashion, color and advertising, and corporate branding.

Prior to living in Quincy, Maralin was an active resident of Milton, Massachusetts, serving as a member of a number of town organizations including the Milton Public Schools PTOs, the Milton Town Republican Committee, and the high school rebuilding committees.

Mr. Speaker, Maralin and her husband Robert are the parents of six children: Patrice Manning Flavin, Moira Manning Shigo, Robert Manning, Gregory Manning, Theodore Manning and Michael Manning. They are also blessed with 17 grandchildren.

In closing, Mr. Speaker, it is my distinct honor to take to the floor of the House today to join with Maralin's family, friends, her community and the City of Quincy to thank her for her lifetime commitment of dedicated public service. I urge my colleagues to join me in recognizing and honoring Maralin Manning.

IN SUPPORT OF H.R. 3189

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 21, 2014*

Mr. TIPTON. Mr. Speaker, I would like to submit the following:

CRESTED BUTTE MOUNTAIN RESORT,  
*Crested Butte, CO, March 21, 2014.*

DEAR REPRESENTATIVE TIPTON, I am writing on behalf of Crested Butte Mountain Resort (CBMR) in support of H.R. 3189, the "Water Rights Protection Act." CBMR currently operates on U.S. Forest Service Special Use Permit on over 4,300 acres in Gunnison County and generates over \$28 million dollars into the local economy from destination skiers in lodging, dining, entertainment and retail purchases.

CBMR supports H.R. 3189 because it would prohibit the U.S. Forest Service from requiring our resort to transfer valuable water rights to the Forest Service as a condition of receiving a permit, or to apply for water rights in the name of the United States, without compensation. This bill would also prevent the federal government from making an end run around state law by merely taking water rights that it does not own through its permitting authority. It would not only protect ski area water rights—it would protect any water rights owners that operate on federal land.

Furthermore, requiring transfer of valuable water rights to the U.S. Forest Service as a condition of receiving a permit raises serious Fifth Amendment concerns. Most Colorado resorts' water rights were acquired and developed at great expense pursuant to Colorado law, and in some cases pre-date the Forest Service itself. If the U.S. Forest Service wants to secure its own water rights, it should buy them on Colorado's well-regulated water market like everyone else.

Thank you for scheduling a hearing on H.R. 3189 and for your leadership on this issue. It means a great deal to CBMR and

other ski resorts operating across Colorado on Forest Service lands.

Sincerely,

ETHAN MUELLER,  
General Manager.

CONEJOS COUNTY COLORADO  
BOARD OF COUNTY COMMISSIONERS,  
Conejos, CO, October 21, 2013.

Hon. SCOTT TIPTON,  
Washington, DC.

Hon. JARED POLIS,  
Washington, DC.

DEAR REPRESENTATIVES TIPTON AND POLIS: We the Conejos County Board of Commissioners would like to endorse and support the introduction of H.R. 3189, the Water Rights Protection Act, which will prohibit the conditioning of any permit, lease, or other use agreement on the transfer relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture.

Conejos County is largely owned by the Federal Government in which 62% of the land is owned by the U.S. Forest Service and the Bureau of Land Management. If the USFS attempted to implement a permit condition that required the transfer of privately held water rights to the federal government as a permit condition on National Forest System lands, this would have a devastating effect on our ranchers and farmers and the already strained water situation in Conejos County. It is imperative to protect our privately held water rights, prohibit federal takings and uphold state water laws clarifying that the federal government does not have jurisdiction.

We again offer our support and will watch as this important legislation moves forward.

Sincerely,

STEVE MCCARROLL,  
Chairman.

COLORADO WATER CONGRESS,  
Denver, CO, October 3, 2013.

Re: Colorado Water Congress Supports H.R. 3189, Water Rights Protection Act

Hon. SCOTT TIPTON.

DEAR CONGRESSMAN TIPTON: The Colorado Water Congress is pleased to see the introduction of and hearing for Water Rights Protection Act (WRPA), H.R. 3189. The bipartisan bill was introduced last week. This legislation, with the consensus amendments developed by your office, the national ski areas and Colorado water users would prohibit the conditioning of any permit, lease, or other use agreement on the transfer or surrender of any water right to the United States by the Secretaries of Interior or Agriculture.

The issue is of particular importance to Colorado's ski areas that are located in national forests. The U.S. Forest Service, through a 2012 Interim Directive recently attempted to require the transfer of privately owned water rights on federal lands to the federal government as a condition of issuing standard land use permits.

The National Ski Areas Association sued the Forest Service alleging that the directive amounts to a taking of private property rights without due compensation and asked for a declaration that the Forest Service cannot condition a ski area special use permit on the assignment or severance of water rights. In December 2012, the federal district court entered an injunction prohibiting the Forest Service from enforcing the directive. The court found that the Forest Service violated federal procedural laws in adopting the directive.

This matter is of importance to the Colorado legislature that as recently as late August 2013 continues to investigate Forest Service activities in this regard. It is unfortunate that Colorado water users have to had

to pursue both litigation and legislation to protect our water rights from takings by our Federal government.

We hope that passage of H.R. 3139 will put us on the right path toward a permanent resolution. We urge the House to pass this legislation without delay.

The Colorado Water Congress supports H.R. 3139. Thank you for sponsoring the bill. Best regards,

Best regards,

DOUGLAS KEMPER,  
Executive Director.

CLUB 20,

Grand Junction, CO, October 8, 2013.

Hon. SCOTT TIPTON,  
Washington, DC.

DEAR CONGRESSMAN TIPTON: CLUB 20 strongly urges Congressional support and passage of H. R. 3189, known as the "Water Rights Protection Act."

CLUB 20 is a 60 year old coalition of businesses, individuals and local governments with members representing 22 counties west of the Continental Divide in Colorado. Our members have been coming together over the past six decades to discuss matters of common concern to Western Colorado communities and citizens. Water has often been a focal point for CLUB 20 members as there are far reaching implications to many of the industries, communities and residents on the West Slope regarding privately held water rights in the region.

Water rights are considered private property under Colorado water law and are managed under a strict system that has served the state over time. For many years, CLUB 20 policy has opposed, "... any Federal requirement that permittees assign water rights to the United States in order to obtain, renew or modify federal permits." CLUB 20 understands that the McCarran Amendment requires the federal government, when requested, to adjudicate any water rights it requires under the substantive and procedural elements of state water law within the state of the desired rights.

Our members have openly opposed and continue to oppose the efforts of the U.S. Forest Service (USFS) to unilaterally require ski areas or agriculture producers to turn over their privately held water rights to the USFS as a condition of obtaining, modifying or renewing a permit to conduct ski area activities or maintain infrastructures to convey water on USFS lands. We further oppose any such provision or ruling that may apply to other private water rights with regard to, natural resource development interests or other domestic water interests.

The explanation offered by the USFS for the "taking" of these privately held water rights, often developed at great expense to the owner, is that they wish to maintain the designated use of the water for the permit. We find that explanation disingenuous for the following reasons:

1. Requiring that the USFS be named the owner of valid, existing water rights is taking a private property right without compensation and appears to be a violation of the Fifth Amendment to the U.S. Constitution.

2. It would appear that federal ownership of these water rights could be used to disallow future use of the area as a ski area or other designated enterprise because the agency that holds title to the water rights could deny permits based on their withholding of those same water rights.

3. Once promulgated by the USFS regarding ski area and agriculture water rights, similar decisions could be made regarding grazing rights, mining rights, milling rights, energy rights even municipal water rights.

4. This effort by the federal government seeks to undermine states' rights with regard to water management, which our members find unacceptable.

Ski area and agriculture operators invest significant amounts of capital to develop their operations; in order to attract the investment capital necessary, they must show that they have adequate ability to construct and operate the facility. Without demonstrating that they have adequate water rights, attracting capital will be difficult if not impossible. Further, it has been shown time after time that federal regulations can be, and are, routinely modified for one reason or another creating uncertainty for developers of all sorts on public lands. Once held in the name of the USFS, there is no guarantee that these water rights won't be redirected, withheld or otherwise made unavailable to those who made significant investments in developing those rights.

We support the protections inherent in H.R. 3186 and urge passage of this or similar legislation which accomplishes the same purpose. Thank you for addressing this critical issue through the legislative process; we look forward to working with you to see this bill through the process.

Best Regards,

BONNIE PETERSEN,  
Executive Director.

AGNC RELEASES STATEMENT ON SKI AREA  
WATER RIGHTS ISSUE

RIFLE.—Scott McInnis, Executive Director of the Associated Governments of Northwest Colorado (AGNC), released a statement today regarding the United States Forest Service's attempt to make the renewal of special-use permits by Colorado ski areas conditional on transference of water rights to the federal government, and efforts in the Colorado State Legislature to prohibit such requirements:

"The AGNC vehemently opposes any attempt by the U.S. Forest Service, or any other federal agency, to make relinquishment of private water rights a condition of permit renewal for users of government lands, as demonstrated against our local ski industry last year. We believe this is in violation of Colorado water law, and represents an egregious intrusion on private property rights.

In addition to the immediate harm done to the property rights of the affected skiing businesses, AGNC is especially concerned with the broader ramifications of this action; what other permit holders on government land will be required to hand over their water rights in order to renew their permits? Energy developers? Farmers and ranchers? Grazing Associations? Local governments maintaining roads or facilities on these lands?

With nearly 70% of northwest Colorado's land being government-owned (over 70% in Mesa and Rio Blanco Counties) it is easy to see how dependent our regional economy is on these lands. Nearly all of our local industries—energy, agriculture, tourism, and transportation, among others—rely on access to government land. It is unconscionable that the agencies charged with managing these lands for multiple uses would use private water rights as bargaining chips in the permit renewal process.

AGNC therefore supports efforts at the state level to prohibit this and similar future actions on the part of the USFS and other federal land management agencies."



## CALIFORNIA SKI

INDUSTRY ASSOCIATION,

*Mill Valley, CA, October 4, 2013.*

Re Support for H.R. 3189

Hon. DOC HASTINGS,

*Chairman, House Natural Resources Committee, Washington, DC.*

DEAR CHAIRMAN HASTINGS: On behalf of the members and directors of the California Ski Industry Association I am writing to add our support to H.R. 3189, the Water Rights Protection Act.

This narrowly focused bill is designed to resolve an unfair regulation requiring Forest Service permittees to cede, without compensation, their water rights to the agency. Nineteen of California's twenty-six ski areas operate on Forest Service lands. We have a long history of working with the agency and will continue to do so in the future. However, our winter sports facilities on federal lands are strongly opposed to the clauses that would require California permittees to cede their valuable water rights to the agency without compensation. Such clauses represent a taking and carry far-reaching legal and economic implications, not only for our industry but also for all other permittees operating on Forest Service lands.

A recent study by San Francisco State University reported that California's winter sports resorts generate \$1.3 billion in economic activity and over 16,000 jobs in our mountain communities. Our resorts have millions of dollars invested in their water rights. In many cases the source of these rights are located outside of the permit boundaries.

We appreciate your scheduling a hearing on H.R. 3189 and thank you and the sponsors of this important legislation.

Yours truly,

BOB ROBERTS,  
*President & CEO.*

# RECOGNIZING JOHN AND NANCY LOVE

## HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 21, 2014*

Mr. MORAN. Mr. Speaker, I rise today to recognize one of my constituents John Love, and the marriage of over 50 years to his recently departed wife Nancy.

John is a retired Air Force officer who served his country proudly in Vietnam. He and Nancy met first met on January 6, 1962, at a restaurant in Marquette, Michigan. She was sitting with her mother when John approached the striking brunette to ask her to dance. The rest, as they say, is history.

They got engaged 6 weeks later and were married on May 5, 1962, simply following their hearts.

In May of 2012, they celebrated their 50th wedding anniversary by watching their beloved Detroit Tigers after renewing their vows.

Sadly, Nancy's health deteriorated in the months that followed, passing away in her loving husband's arms in December of that same year. She is buried in Section 66 of Arlington National Cemetery, in a spot next to where John will one day be laid to rest.

The Love family had two sons and five grandchildren, shared and continue to share a close personal relationship, cherishing each other deeply.

While she has left this Earth in physical form, Nancy will always live in John's heart

until they are reunited once more. John has written a love song to Nancy, entitled "My Love Song Forever," produced with John White and D.B. Rielly of WhiteWater Sound Studios in New York.

Mr. Speaker, I am honored to recognize the kind of love we can all connect with, and appreciate for its intensity and durability over many years. May we all be so lucky to find that special someone.

# CELEBRATING THE CENTENNIAL OF THE HEATH BROTHERS CONFECTIONARY IN ROBINSON, ILLINOIS

## HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 21, 2014*

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the centennial of the Heath Brothers Confectionary in Robinson, Illinois. Founded one hundred years ago by L.S. Heath and his sons Bayard and Everett, this once small business has expanded to become a global franchise. Over the past 100 years, the Heath Confectionary has produced many successful products, chief among them the Heath Bar, a delicious toffee candy covered in milk chocolate and almonds.

Made by hand until 1942, production of Heath Bars was eventually ramped up to commercial scale to supply American troops during World War II. Throughout the conflict, Heath Bars were a staple of soldiers' rations, providing them with a small taste of home during their long deployments.

Known as "America's Finest," popularity for the candy grew steadily after the war. Recognizing the potential of the Heath Confectionary, the company was eventually acquired by Leif, Inc. in 1989, itself acquired by Hershey in 1996.

Today, Hershey maintains a plant in Robinson, Illinois, producing iconic candies such as Heath Bars, Paydays, Whoppers and Milk Duds. I applaud Hershey for maintaining the plant's roots in Robinson and for their contribution to the community through the creation of jobs and their generous corporate giving.

I invite all members to stop by my office to try a Heath Bar and all of the various other Hershey products produced in our district for themselves.

# IN SUPPORT OF H.R. 3189

## HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 21, 2014*

Mr. TIPTON. Mr. Speaker, I would like to submit the following:

NATIONAL WATER RESOURCES

ASSOCIATION,

*Washington, DC, March 10, 2014.*

Hon. SCOTT TIPTON,  
*Cannon House Office Building, Washington, DC.*

DEAR CONGRESSMAN TIPTON: On behalf of the Board of Directors and the members of the National Water Resources Association (NWRA), I write in support of H.R. 3189, the Water Rights Protection Act. The NWRA is a

nonprofit federation made up of agricultural and municipal water providers, state associations, and individuals dedicated to the conservation, enhancement and efficient management of our nation's most important natural resource, water. Our members provide clean water to millions of individuals, families, agricultural producers and other businesses throughout the western United States.

Collectively, NWRA members have spent billions of dollars investing in the development of state issued water rights and the associated infrastructure in order to provide a safe and reliable water supply to their customers. Their ability to continue meeting the nation's growing demand for clean water is dependent upon access to this vital resource. The Water Rights Protection Act would protect NWRA members' water rights and those who depend on the water they deliver by preventing federal agencies from making a permit, permit renewal or other action conditional upon surrendering a water right. The protection of water rights is of the utmost importance to our members. Water rights constitute a valuable property right and as such are valuable assets that are often irreplaceable.

For more than eighty years NWRA members have helped finance, maintain and manage some of the most valuable and iconic water systems in the world and have turned virtual deserts into some of the most productive agricultural land on the planet. To accomplish this irrigators have worked collaboratively with federal agency partners at the Bureau of Reclamation and Army Corps of Engineers. That collaborative partnership, formed through contracts and other agreements, is protected by this bill. Our members are gravely concerned by recent efforts by the U.S. Forest Service (USFS) and the Bureau of Land Management (BLM) that have made agency actions contingent upon the relinquishment or modification of a water right. These efforts go counter to the principle foundations of western water law, fly in the face of state law and set a dangerous precedent. Our members count on federal infrastructure to deliver both project and non-project water. Non-project water is privately owned; it has not been appropriated, acquired by, or apportioned to, the United States. In addition, many of our members deliver water through facilities that cross USFS or BLM land. The creation of a process through which water deliveries could be made contingent on the modification, relinquishment or surrender of a water right is unacceptable. Moreover, allowing such a precedent would cause this assault on state water rights to spread in various forms to other agencies within the Agriculture and Interior Departments. Congress, needs to provide the respective Secretaries with clear guidance on this subject, H.R. 3189 provides this guidance.

The USFS and BLM efforts to curtail water rights have been focused on western states, but the implementation of this kind of policy would have ramifications throughout the nation. According to the United States Geological Survey, nearly seventy five percent of the irrigated agriculture in the U.S. is found in the seventeen western states. These states on average receive less than twenty inches of rain each year, making the reliable delivery of irrigation water vital. In order to protect our members' water rights, assure the continued delivery of clean water to millions of people and protect the integrity of western water law the NWRA supports the Water Rights Protection Act.

On behalf of NWRA's members I thank you for your attention to the critical water supply issues facing our nation, and for supporting our members as they continue to be

stewards of our nation's water supply and a critical part of the economy.

Sincerely,

ROBERT W. JOHNSON,  
Executive Vice Presi-  
dent, National  
Water Resources As-  
sociation, Wash-  
ington, DC.

WHITE RIVER AND DOUGLAS CREEK  
CONSERVATION DISTRICTS,  
Meeker, CO, January 17, 2014.

Re White River and Douglas Creek Conserva-  
tion Districts' Support for the Water  
Rights Protection Act

Representative SCOTT TIPTON,  
Cannon House Office Building,  
Washington, DC.

DEAR REPRESENTATIVE TIPTON: The White River and Douglas Creek Conservation Districts have been following the efforts of the U.S. Forest Service (USFS) to acquire private water rights from individuals and businesses by holding them hostage through permit issuance and/or renewals.

Our Executive Director joined Club 20 in meetings with USFS Associate Deputy Chief, Jim Pena, in Washington D.C. last May. He adamantly argued that it was the USFS responsibility and right to acquire the private water rights from the ski industry and grazing permittees in order to protect the industries and the economies they support. This is not a role of our federal government or agencies. The purpose and only role of the USFS and Bureau of Land Management (BLM) is to manage the land for multiple uses based on the best available science.

It is our opinion that the federal government has neither right nor role to interfere with the individual states' water rights laws and the federal government's efforts as stated above are absolute takings of private property rights.

We applaud you and your colleagues' efforts to ensure the states' and individual's rights are respected by the federal government. The White River and Douglas Creek Conservation Districts strongly support H.R. 3189, the Water Rights Protection Act, which would provide federal legislation to protect Colorado's private water rights holders from any takings by federal land management agencies.

Please let us know if we can be of any assistance in your efforts to protect Colorado's water rights which ensure conservation of our many natural resources, food supply, and thriving economies.

Sincerely,

LEONARD THOMPSON,  
President, White River  
Conservation District.

SCOTT ROBERTSON,  
President, Douglas Creek  
Conservation District.

UPPER ARKANSAS WATER CONSER-  
VANCY DISTRICT,

Salida, CO, November 7, 2013.

Re H.R. 3189 Water Rights Protection Act  
Representative SCOTT TIPTON,  
N. Main St.,  
Pueblo, CO.

DEAR CONGRESSMAN TIPTON: The Upper Arkansas Water Conservancy District is a local governmental entity charged through the State of Colorado's Conservancy Statutes to develop water works to optimize the beneficial use of water in Colorado and protect water rights. Charged with this duty, the District owns for the benefit of its constituents within the more than 3000 square miles of the Upper Arkansas River Basin, water rights, storage facilities and other water infrastructure. Many of these facilities are lo-

cated with the United States Forest Service (USFS) and require special use permits.

The cost of the permits undeniably exceeds the benefits provided by these structures and District owned water rights to the citizens of the United States and the forest. However, the USFS continues to charge excessive fees. Repermitting facilities has been expensive and onerous and often comes with conditions that are confiscatory.

For the above reasons and others this district and board fully supports your legislation H.R. 3189. Further it is vital for Colorado's future that more storage be developed and often the best locations are on public lands. Thus the future of our water resources, the lifeblood of an arid climate, is the construction and maintenance of water storage. We support your legislation that helps achieve the goals of water protection and storage in Colorado and the West.

Sincerely,

ROBERT M. SENDERHAUF,  
Chairman.

THE SOUTHWESTERN WATER  
CONSERVATION DISTRICT,  
Durango, CO, October 10, 2013.

Hon. SCOTT TIPTON,  
House of Representatives, Cannon House Office  
Building, Washington, DC.

DEAR CONGRESSMAN TIPTON: On behalf of the Southwestern Water Conservation District ("District"), we thank you for sponsoring the Water Rights Protection Act, H.R. 3189. This vital bipartisan bill would prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior or Agriculture.

The Southwestern Water Conservation District (SWCD) was established by the Colorado legislature to conserve and protect the waters of the San Juan and Dolores Rivers and their tributaries. Therefore, we see it as our statutory obligation to safeguard privately held water rights in the region and uphold the primacy of state water law, as H.R. 3189 would do.

The U.S. Forest Service has recently attempted to require the transfer of privately held water rights to the federal government as a condition of acquiring a National Forest System lands permit. The District considers such requirements tantamount to a federal taking, and applauds H.R. 3189's prohibition of such conditions.

The District encourages the House of Representatives to pass this legislation without delay.

We thank you for introducing the Water Rights Protection Act and for your leadership on this issue of great consequence.

Sincerely,

BRUCE WHITEHEAD,  
Executive Director.

SAN LUIS VALLEY  
WATER CONSERVANCY DISTRICT,  
Alamosa, CO, October 28, 2013.

Hon. SCOTT TIPTON,  
Cannon House Office Building,  
Washington, DC.

Hon. JARED POLIS,  
Longworth House Office Building,  
Washington, DC.

DEAR REPRESENTATIVES TIPTON AND POLIS: On behalf of the Board of Directors of the San Luis Valley Water Conservancy District, thank you for your introduction of H.R. 3189, the Water Rights Protection Act. The District endorses this Bill, and will work to broaden bipartisan support for this measure and to gain its swift consideration and approval by the House of Representatives.

H.R. 3189 grants no new rights to any party, nor does it in any way infringe on ex-

isting rights of individuals, states or the federal government. This legislation simply reaffirms what has been existing law for generations and which is expressed in numerous places in federal law, including the Mining Act of 1866; the 1897 Organic Act establishing the U.S. Forest Service; the Taylor Grazing Act; and the Federal Land Policy and Management Act of 1976.

There is no provision in federal law authorizing or permitting the U.S. Forest Service or the Bureau of Land Management to compel owners of lawfully acquired water rights to surrender those rights or to acquire them in the name of the United States. Thus, H.R. 3189 does nothing more than assure holders of BLM or U.S. Forest Service permits that their lawfully acquired rights will not be abridged and that federal agencies may not unlawfully use the permit process to acquire rights they do not currently possess.

We look forward to working with you on this important legislation and again commend you for your leadership in this important area.

Sincerely,

M. DEE GREEMAN,  
President.

SAN LUIS VALLEY COUNTY  
COMMISSIONERS ASSOCIATION,  
Alamosa, CO, November 4, 2013.

Hon. Representative SCOTT TIPTON,  
Main Street,  
Alamosa, CO.

DEAR HONORABLE REPRESENTATIVE TIPTON: On behalf of the San Luis Valley County Commissioners Association, this letter is being written in support of H.R. 3189.

The San Luis Valley County Commissioners Association fully supports your efforts in the passage of H.R. 3189. Water Rights are very important to the people of the entire San Luis Valley and any effort made to preserve our precious mineral is important because this is an essential part of rural communities.

This proposed legislation would prohibit the Secretary of the Interior and Secretary of Agriculture from requiring the transfer of water rights without adequate compensation. This bill supports the state water laws that have been established long term and clarifies that the government does not have the jurisdiction.

The San Luis Valley County Commissioners Association strongly urges the Natural Resource Committee to support this essential legislation. Your attention to this matter is very much appreciated.

Sincerely,

MICHAEL YOHN,  
Chairman.

ROUTT COUNTY BOARD  
OF COUNTY COMMISSIONERS,  
Steamboat Springs, CO, March 11, 2014.

Re H.R. 3189  
Congressman SCOTT TIPTON,  
Cannon House Office Building,  
Washington, DC.

DEAR CONGRESSMAN TIPTON: On behalf of the people of Routt County, Colorado, we are hereby expressing our earnest support for H.R. 3189 aka the "Water Rights Protection Act". This is a timely and necessary piece of legislation. This bill represents no cost to the public and provides needed protection of lawfully held water rights.

Water is an essential property right for business operators ranging from agriculture to ski areas. No operator or property owner should be coerced into surrendering a privately held water right. The opportunity for beneficial use of public lands is a separate right. Federal agencies are charged only with administering permitting and other processes related to public lands. These



agencies should have no authority to use these processes as a mechanism to strip rights from lawful water users.

We urge Congress to pass H.R. 3189 and we are happy to provide further support for this effort as necessary.

Cordially,

TIMOTHY V. CORRIGAN,  
DOUGLAS B. MONGER,  
STEPHEN K. IVANCIE.

RIO GRANDE WATERSHED—ASSOCIATION OF CONSERVATION DISTRICTS,  
North Center, CO, October 25, 2013.

Re Support of the Water Rights Protection Act H.R. 3189

Hon. DOC HASTINGS,  
Chairman, Longworth House Office Building,  
Washington, DC.

Hon. PETER DEFAZIO,  
Ranking Member, Rayburn House Office Building,  
Washington, DC.

DEAR CHAIRMAN HASTINGS AND RANKING MEMBER DEFAZIO: The Rio Grande Watershed Association of Conservation Districts (RGWACD) strongly support the Water Rights Protection Act (WRPA), (H.R. 3189). RGWACD is dedicated solely to representing the roughly 2,000 ranchers who operate on federal lands, some of which are U.S. Forest Service (USFS) lands. Here in the San Luis Valley of Colorado, RGWACD is one of the most active conservation district—watershed groups in Colorado. We represent all faction of agriculture producer and landowner who provide much of the nation's supply of food and own or manage a large portion of America's private property. Many of our members also hold private water rights on federal lands, which serve as an integral part of their operations; thus, these water rights keep our members in business and rural communities thriving. However, landowners face an unprecedented threat to the future of their water rights on lands managed by the USFS.

The USFS has been notorious for violating private property rights, as they have recently attempted to require the transfer of privately owned water rights to the federal government. The USFS has not provided adequate compensation as required by Article V of the Constitution; instead, they have attempted to acquire these rights in exchange for special use permits, likely in violation of a recent Supreme Court ruling in *Koontz*. Furthermore, the USFS has repeatedly ignored established state water laws in order to perform these takes, which amounts to a vast overreach by the federal government.

H.R. 3189, introduced by Congressmen: Scott Tipton (R-Colo.), Mark Amodei (R-Nev.), Rob Bishop (R-Utah), Tom McClintock (R-Calif.), and Jared Polis (D-Colo.) comes as a means to combat the recent directive that allows the USFS to execute the seizure of these water rights without just compensation. The language in the directive is applicable to ski areas specifically; however, this issue is a threat to all water users, including ranchers, as they depend on these rights to keep their business viable.

This legislation would prohibit the Secretary of the Interior and the Secretary of Agriculture from, requiring the transfer of water rights without adequate compensation. Additionally, the bill supports long-established state water laws, clarifying that the federal government does not have jurisdiction.

We strongly encourage the Natural Resource Committee to support this important legislation. We thank you for your attention to this crucial issue, and for supporting our members as they continue to be an essential

part of rural communities and stewards of our public lands.

Sincerely,

HAROLD ANDERSON,  
President.

RIO GRANDE WATER CONSERVATION DISTRICT,  
Alamosa, CO, October 15, 2013.

Hon. SCOTT TIPTON,  
Cannon House Office Building,  
Washington, DC.

DEAR REPRESENTATIVE TIPTON: One of the Rio Grande Water Conservation District's purposes is "for the conservation, use and development of the water of the Rio Grande". We understand that there has been an attempt by certain federal agencies to require federal permittees to assign their private water rights to the federal government as a condition of the permit. If this policy continues it will create a great risk to the water users both in the San Luis Valley and statewide. The Rio Grande Water Conservation District supports H.R. 3189, The Water Rights Protection Act, and will work with you to garner support for this bill to ensure protection of privately owned water rights from claims by federal agencies.

As we understand, H.R. 3189 was introduced as a means to protect water users from the seizure of privately owned water rights without just compensation. We believe that H.R. 3189 grants no new rights to any party, nor does it in any way infringe on existing rights of individuals, states or the federal government. It appears to us that this legislation simply reaffirms what has been existing law for generations and which is expressed in numerous places in federal law, including the Mining Act of 1866; the 1897 Organic Act establishing the U.S. Forest Service; the Taylor Grazing Act; and the Federal Land Policy and Management Act of 1976. The bill supports long-established recognition of the primacy of state water law and the title to water rights that are established thereunder.

We are aware of no provision in federal statutory law authorizing or permitting the Forest Service or the Bureau of Land Management to compel owners of lawfully acquired water rights to surrender those rights or to require that they be in the name of the United States. H.R. 3189 does nothing more than assure holders of BLM or Forest Service permits that their lawfully acquired water rights will not be abridged and that federal agencies may not use the permit process to acquire water rights that are owned by non-federal entities.

We thank you for taking a leadership role in addressing this crucial issue and look forward to working with you on this important legislation.

Sincerely,

STEVEN VANDIVER,  
General Manager.

TRIBUTE TO THE CITY OF LAKEWOOD, CALIFORNIA ON THE OCCASION OF THE CITY'S 60TH YEAR ANNIVERSARY OF INCORPORATION

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 21, 2014

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to recognize the City of Lakewood, CA and ask my colleagues to join me in congratulating its residents on the city's 60th Anniversary of Incorporation. I am proud

to represent this prospering city—aptly characterized by its motto, "Times Change, Values Don't"—as part of the 38th Congressional District of California.

The City of Lakewood incorporated in 1954, and was the largest planned community in America in the early 1950s. Lakewood was designed to be a livable residential community, with parkways along major roadways to protect children from traffic, a regional shopping center in the middle of the town, and convenient neighborhood shopping places at major intersections.

The City of Lakewood has been known for its careful fiscal management and prudent budgeting. In 1954, the City began to utilize innovative partnerships in contracting for city services. Lakewood's "contract plan" for local government was soon copied in a wave of incorporation movements in Los Angeles County, and later throughout the state. Today, Lakewood is known as a "contract city" and currently contracts for a broad range of services from the County, other agencies, and private firms; including law enforcement, street repairs, fire protections, library services, trash collection and others. This allows the city to provide more efficient and cost-effective services to its residents.

Prioritizing the best interests of its residents, in 2013 Lakewood was able to complete a 12-year street repaving program in which 100% of the city's 143 miles of residential streets were resurfaced with long-lasting rubberized asphalt. The 100 percent completed program—almost unheard of among cities—earned a "Project of the Year" award from the American Public Works Association.

The City of Lakewood thrives on customer service and strives to ensure all resident requests are responded to in a timely manner. In addition, Lakewood takes pride in the fact that city staff has deep roots in the community; many employees were raised here and continue to live in the city. The average employee has worked for the city for many years, maintaining a valuable level of experience and loyalty to the residents of Lakewood.

A top quality recreation service for residents of all ages is a core Lakewood value. In the 1950s, to deal with the surge of young children needing play opportunities after school, the city developed the Lakewood Youth Sports (LYS) program staffed by an army of volunteer coaches. LYS and its volunteer coaches provided the supervised play activities that the new families of Lakewood needed. LYS continues to be a key way that Lakewood residents work with their city government to give their children great recreational opportunities. In 2013, for the fourth year in a row, Lakewood was named "Playful City USA" by the national recreation advocacy group KaBoom! in recognition of the city's top quality parks, playgrounds, and programs to encourage youth and family play.

The City of Lakewood was recently considered one of the safest communities in the region, and has seen many innovations and notable achievements in public safety over the years. In the 1980s, Lakewood developed one of the largest Neighborhood Watch programs in California. The city continues to have a prospering program with currently over 400 block captains. Lakewood residents have a tradition of volunteering to help their community and their neighbors in need. Lakewood is the home of many charitable efforts that support a caring community and enhance the

quality of life. Prominent efforts include Project Shepherd, Volunteer Day, Meals on Wheels, Pathways Volunteer Hospice, Friends of the Lakewood Libraries, Lakewood Education Foundation and many more.

The city will be celebrating their 60th anniversary of Incorporation with an open house that will include galleries of historic photos from city archives, portraits of original 1954 homeowners, and other photographs submitted by residents. As the city celebrates this occasion, I would like to ask my colleagues to join me in congratulating the city and residents of Lakewood as they celebrate the past and focus on a prosperous future.

RECOGNIZING THE ONE HUNDREDTH ANNIVERSARY OF THE MACEDONIA BAPTIST CHURCH IN PENSACOLA, FLORIDA

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 21, 2014*

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the One Hundredth Anniversary of Macedonia Baptist Church of Pensacola, Florida. Throughout the one hundred years of its presence, the pastoral leadership and congregation of Macedonia Baptist Church has provided uplifting and spiritually fortifying service to the Gulf Coast region, and I am privileged to honor their dedication to the Northwest Florida community.

Macedonia Baptist Church traces its roots back to the inspiration of Mother Lula Farris in 1913. Established as Long Faith Baptist Church in 1914 with Reverend Holmes as its first pastor, the church's name was later changed to Macedonia Baptist Church of Pensacola, Florida.

The strength of the congregation and its leadership throughout the church's history is exemplified through its continued growth and commitment to achieve excellence in providing Biblical guidance and Christian education. An integral part of the Baptist Church community, Macedonia Baptist Church has served in various roles, including its active participation in the Florida General Baptist Convention and the licensing of several pastors.

Today, and remarkably for the last 63 consecutive years, Macedonia Baptist Church has been led under the devoted guidance of the Reverend A.L. Durant, Sr., and as a true testament to God's work through His people, the church continues to build God's kingdom and foster spiritual and professional growth by providing religious direction and philanthropy to church members and the surrounding community.

Mr. Speaker, on behalf of the United States Congress, it gives me great pleasure to commemorate the centennial anniversary of Macedonia Baptist Church in Pensacola, Florida. My wife Vicki joins me in congratulating their pastoral leadership and congregation. May the Spirit of the Lord continue to bless the church on this important milestone and the many to come.

IN SUPPORT OF H.R. 3189

**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, March 21, 2014*

Mr. TIPTON. Mr. Speaker, I would like to submit the following:

ASPEN SNOWMASS,  
ASPEN SKIING COMPANY,  
*Aspen, CO, October 11, 2013.*

Re Support for H.R. 3189, the Water Rights Protection Act

HON. DOC HASTINGS,  
*Chairman, House Natural Resources Committee, Washington, DC.*

DEAR CHAIRMAN: I am writing on behalf of Aspen Skiing Company, a four-season resort in Aspen and Snowmass Village, Colorado. We employ 3,600 people in winter and host 1.3 million visitors at our four ski mountains, 18 restaurants and two hotels. Most of our operations take place on National Forest System lands under a special use permit from the U.S. Forest Service.

As you are likely aware, the USFS is trying to require the transfer of privately held water rights to the federal government as a permit condition on National Forest lands. There is no compensation for the transfer of these privately held rights despite the fact that many stakeholders have invested millions of their own capital in developing the rights.

I'm writing in support of H.R. 3189, the Water Rights Protection Act, to address this

unfair situation. This bill would prevent the federal government from making an end run around state law by taking water rights that it does not own through its permitting authority.

Thank you for scheduling a hearing on H.R. 3189 and for your leadership on this issue. It means a great deal to Aspen Skiing Company and other Colorado ski resorts operating on federal lands.

Best Regards,

DAVID PERRY,  
*Senior Vice President.*

TRUCKEE-CARSON  
IRRIGATION DISTRICT,  
*Fallon, NE, March 13, 2014.*

Re Support for "Water Rights Protection Act" (H.R. 3189)

Hon. SCOTT TIPTON,  
*House of Representatives, Washington, DC.*

DEAR CONGRESSMAN TIPTON: On behalf of the Truckee-Carson Irrigation District (a political subdivision of the State of Nevada), we here express our formal and strong support for your "Water Rights Protection Act" with amendments thereto proposed by you and the Honorable Markwayne Mullin of Oklahoma. This legislation signals important recognition and protection to that very special form of property right which allows the use and control of waters for beneficial uses by water right holders. This legislation will prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture. We applaud this measure.

Moreover, this Act protects communities, businesses, recreation, farmers and ranchers, and others who rely on privately held water rights for their livelihood from what constitutes a taking without compensation. Our District serves only water users that directly hold their water rights. To all such, these rights are not just important; rather, they are sacred. No justification may be made, no matter how decorative may appear its veneer, for essentially condemning a private property interest, without compensation, for expanded uses by the federal government.

Thank you for your efforts to protect water rights. If you have any questions, please do not hesitate to contact us.

Sincerely,

RUSTY D. JARDINE, ESQ.,  
*District Manager, Truckee-Carson Irrigation District.*

# Daily Digest

## Senate

### Chamber Action

The Senate met at 9:00:02 a.m. in pro forma session, and adjourned at 9:00:33 a.m. until 2 p.m. on Monday, March 24, 2014.

### Committee Meetings

No committee meetings were held.

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## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 6 public bills, H.R. 4278–4283 were introduced. **Page H2565**

**Additional Cosponsors:** **Page H2566**

**Reports Filed:** Reports were filed today as follows:

H.R. 1869, to establish biennial budgets for the United States Government, with amendments (H. Rept. 113–382, Pt. 1) and

H.R. 2413, to prioritize and redirect NOAA resources to a focused program of investment on near-term, affordable, and attainable advances in observational, computing, and modeling capabilities to deliver substantial improvement in weather forecasting and prediction of high impact weather events, such as tornadoes and hurricanes, and for other purposes, with an amendment (H. Rept. 113–383). **Page H2565**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Messer to act as Speaker pro tempore for today. **Page H2489**

**Committee on Transportation and Infrastructure—Communication:** Read a letter from Chairman Shuster wherein he transmitted copies of resolutions to authorize 14 lease prospectuses, including three leases, ten alteration projects, and one project design, included in the General Services Administration's FY2013 and FY2014 Capital Investment and Leasing Programs. The resolutions were adopted by the Committee on Transportation and Infrastructure on March 13, 2014. **Pages H2489–H2565**

**Quorum Calls—Votes:** There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 10:04 a.m.

### Committee Meetings

No hearings were held.

### Joint Meetings

No joint committee meetings were held.

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## COMMITTEE MEETINGS FOR MONDAY, MARCH 24, 2014

*(Committee meetings are open unless otherwise indicated)*

### Senate

No meetings/hearings scheduled.

### House

*Committee on Appropriations*, Subcommittee on Financial Services and General Government, hearing on the Office of National Drug Control Policy FY 2015 Budget, 3 p.m., 2359 Rayburn.

Subcommittee on Legislative Branch, hearing on the United States Capitol Police Budget, 4:30 p.m., HT-2 Capitol.

*Committee on Energy and Commerce*, Subcommittee on Communications and Technology, markup on a bill to amend the Communications Act of 1934 to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes, 5:30 p.m., 2123 Rayburn.

*House Permanent Select Committee on Intelligence*, Full Committee, hearing entitled "Ongoing Intelligence Activities", 4:30 p.m., 304–HVC. This is a closed hearing.

*Next Meeting of the SENATE*

2 p.m., Monday, March 24

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12 p.m., Monday, March 24

## Senate Chamber

**Program for Monday:** Senate will resume consideration of the motion to proceed to consideration of S.2124, Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act, and vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 5:30 p.m.

## House Chamber

**Program for Monday:** To be announced.

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